FEDERAL - STATE ELECTION LAW UPDATES:

AN ANALYSIS OF STATE AND FEDERAL LEGISLATION

PREPARED FOR

FEDERAL ELECTION COMMISSION

BY

AMERICAN LAW DIVISION OF THE CONGRESSIONAL RESEARCH SERVICE
LIBRARY OF CONGRESS

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INTRODUCTION BY THE NATIONAL CLEARINGHOUSE ON ELECTION ADMINISTRATION

Election Law Updates is a quarterly series designed to report and summarize all new State and Federal election legislation. The series is cumulative throughout the calendar year such that each quarterly edition contains the information of previous quarters culminating in the fourth quarter's Annual Cumulative Summary.

It is important to note that these updates summarize only recent changes in election laws and do not summarize the entire body of election law in each State. Summaries of each State's election code are available from the Clearinghouse only on certain specific topics (Campaign Financing, Ballot Access, Contested Elections and Recounts, Election Administration, and the like). Otherwise, readers are encouraged to review State election codes and to use these updates only to identify any changes since the publication date of the original code. By the same token, readers needing to make legal decisions on the basis of any new legislation are advised to obtain copies of that legislation rather than rely on the summary information contained herein. Finally, many readers, and especially legislators, interested in specific topics will benefit from the topical index in the back of the volume.

The **Election Law Updates** series is available on a subscription basis from the National Technical Information Services (see opposite inside cover page for address) as is the companion series **Election Case Law** which summarizes judicial cases in the same quarterly, cumulative manner.

Errors or omissions in these Updates may be reported to: Mr. Tom Durbin, Law Survey Manager, American Law Division, Library of Congress, West Main 204, Washington, D.C. 20540, telephone (202) 287-6006.

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FOREWORD

The Federal-State Election Law Updates is a project sponsored by the Federal Election Commission and produced by the American Law Division of the Congressional Research Service of the Library of Congress. The Federal-State Election Law Updates analyzes both federal and state major election legislation. A quarterly cumulative publication will be issued in the months of April, July, October, and January. The January issue will be the final cumulative edition of the year.

The principal purpose of the Federal-State Election Law Updates is to furnish in the form of a brief analysis the essential provisions of State election laws. In regard to federal legislation, the Election Law Updates will provide a brief summary of pending public bills and resolutions dealing with election laws and include more detailed analyses of those bills that have had action. It is hoped that this publication will give readers sufficient information concerning what other states and the federal government are doing in the election area.

The editors rely on the accuracy, the promptness, and the completeness of the State Legislative Reporting Service of Commerce Clearing House for copies of all State election laws. Unavoidably, there will be a time lapse between the enactment of some laws and their publication in the Election Law Updates. Such laws will appear in a later issue. The final cumulative issue of the year includes laws received through December 1st of that year. Laws received after that date will appear in the appendix of the first issue of the following year. Summaries of these laws are not intended to be exhaustive. The statutory text should be consulted before acting on the basis of any such enactment. Should more information be desired by the reader on any section, it might be necessary to contact the State legislature or congressional office to get a complete version of the law or bill. The object of this publication is to give as much detail as time and space permit.

Each issue of the Federal-State Election Law Updates encompasses the following sections:

Section I. State Session Laws -- This section contains summaries of significant election laws recently enacted by the states. Under each state heading, the Senate bills and resolutions that have become laws are listed first, followed by the House bills and resolutions; the bills and resolutions are listed in numerical order. After each bill number, there are listed a chapter number -- if given -- and the date on which the bill was approved and enacted into law. Laws relating to campaign finance are not included here, but are grouped together in Section II. Whenever a campaign finance law of a state appears in Section II, a cross-reference to that law is included with the summaries of that state's laws in Section I.

Section II. State Campaign Finance Session Laws -- This section summarizies the significant laws on the subject of campaign finance that have recently been passed by the states. These laws are grouped together separately from other state election laws because of the special interest in this area of many readers. The format is the same as in section I.

Section III. Federal Legislation -This section is devoted to an analysis of federal legislation introduced in Congress and of any action which Congress has taken on such legislation. The bills and resolutions are listed serially and briefly summarized. The major sponsor and the date of introdution follow, along with the committee to which the measure is referred and any further action taken on it.

Appendix. Summaries of state election laws (including campaign finance laws) enacted during 1979 and received by the editors too late to be included in the final cumulative issue of Election Law Updates for 1979 appear in the Appendix.

Index. All bills and laws are indexed.

Preparation of the Federal-State Election Law Updates is the responsibility of the American Law Division of the Congressional Research Service, Library of Congress, under contract with the Federal Election Commission and under the supervision of Gary L. Greenhalgh, Director of the Clearing House on Election Administration. Thomas M. Durbin, Jay R. Shampansky and Michael V. Seitzinger are the Editors. M. Ann Wolfe is the Managing Editor, La Vonne M. Grabiak and Anne N. Goldblatt are the Assistant Editors. Gilbert Gude, Director of the Congressional Research Service, Joseph E. Ross, Chief of the American Law Division, and Daniel Hill Zafren, Assistant Chief, serve as Supervising Editors.

TABLE OF ABBREVIATIONS

AB	Assembly Bill (State)
ACA	Assembly Constitutional Amendment (State)
ACR	Assembly Concurrent Resolution
AI	Assembly Initiative
AR	Assembly Resolution
CACR	Concurrent Resolution Proposing Constitutional Amendment (State)
FEC	Federal Election Commission
HB	House Bill (State)
HCR	House Concurrent Resolution (State)
H. Con. Res.	House Concurrent Resolution (Federal)
HF	House File (State)
HJR	House Joint Resolution (State)
H.J. Res.	House Joint Resolution (Federal)
H. Rept.	House Rept. (Federal)
HR	House Resolution (State)
H.R.	House of Representatives Bill (Federal)
H. Res.	House Resolution (Federal)
JRS	Joint Resolution/Senate (State)
LB	Legislative Bill (State)
S.	Senate Bill (Federal)
SB	Senate Bill (State)
SF	Senate File (State)
SCR	Senate Concurrent Resolution (State)

TABLE OF ABBREVIATIONS CONT'D

S. Con. Res. ---------------------- Senate Concurrent Resolution (Federal)

SI -------------------------------- Senate Initiative (State)

SJR ------------------------------- Senate Joint Resolution (State)

S.J. Res. ------------------------- Senate Joint Resolution (Federal)

S. Mem. --------------------------- Senate Memorial (State)

S. Rept. -------------------------- Senate Report (Federal)

SR -------------------------------- Senate Resolution (State)

S. Res. --------------------------- Senate Resolution (Federal)

Subcom. --------------------------- Subcommittee

U.S.C. ---------------------------- United States Code

SECTION I - STATE SESSION LAWS

DELAWARE

HB 678, Approved 2/5/80

Changes the language of several provisions of the state code relating to school district elections so that the prescribed wording on the ballot (eg., "for additional tax" and "against additional tax") applies to both paper ballots and voting machines. Whereas the law previously specified the wording for paper ballots, it failed to extend the provisions to the use of voting machines.

GEORGIA

HB 1030, Act 676, Approved 2/1/80

Creates in each county in the state having a population of between 11,340 and 11,390 a board of elections. Provides rules governing the appointment of the three members of the board of elections in each such county.

Specifies that no person who holds an elective public office or who qualifies as a candidate for an elective public office is eligible to serve as a member of the board of elections.

Requires the governing authority of the county to certify the appointment of each member of the board with the clerk of the superior court at least fifteen days prior to the date the member is to take office. The certification shall be made by the clerk to the secretary of state within the same time and in the same manner as for registrars.

States that if a vacancy occurs, by removal, death, resignation or otherwise, in the office of any appointed member before his term expires a successor shall be appointed by the original appointing body. Certification shall be made in the same manner as the regular appointment of members.

Requires that each member of the board of elections take the oath as required for registrars before entering his duties.

Specifies that the board shall be responsible for the selection, appointment and training of poll workers in elections. The selection of workers shall be made from lists provided by the county executive committee of each political party.

Relieves the judge of the probate court from all powers and duties to which the board of elections succeeds.

Provides that the chairman of the board of elections shall supervise, direct and control the administration of the board of elections.

HB 1092, Act 674, Approved 1/31/80

Provides that the secretary of state and the selection committee when preparing and publishing the list of names of potential presidential candidates for inclusion on the primary ballots are not to include the name of any potential presidential candidate who, if elected to the office, would be ineligible under the Constitution and laws of the United States to serve in that capacity.

MARYLAND

SB 199, Approved 2/15/80

Allows a political party not entitled to nominate candidates for public office by primary election to elect delegates and alternates at a party convention to represent it at its national convention.

SB 200, Approved 2/15/80

Changes the time period during which a presidential candidate who has been nominated in a primary election may withdraw his nomination. Such a candidate must withdraw within eighteen days after the deadline for filing certificates of candidacy; i.e., within eighteen days before 9:00 p.m. on the Monday which is ten weeks or seventy days before the primary date.

NEW JERSEY

SB 1134, Chapter 458, Approved 2/27/80

Provides that members of the municipal and county committees of political parties must be residents of the districts or units from which elected. If a member ceases to be such a resident a vacancy on that committee will exist.

SB 3383, Chapter 467, Approved 2/27/80

Specifies that no person may run for more than one office at the same general election if he could not legally hold such offices together after the election.

AB 3523, Chapter 423, Approved 2/8/80

Provides that the committee on resolutions appointed by the state convention of of each political party shall prepare a tenative party platform and furnish it to each member of the convention within seventy-five days (formerly three weeks). A minimum of three public hearings shall be held by the committee on resolutions throughout the state. Also provides that the state convention of each political party shall adjourn and meet again no later than ninety days after the initial adjournment at its original set meeting place. The date of adjournment shall be set by the state chairman of each political party and notice of the date shall be furnished to each member no later than fifteen days prior to such adjourned meeting.

NEW MEXICO

HB 136, Chapter 13, Approved 2/14/80

Adds the state chairmen of the major political parties participating in the presidential primary to the list of committee members who nominate the presidential primary candidates, and requires such committee to certify the names of the nominees to the secretary of state not later than February 15 before the primary election (formerly ninety days before).

Requires a candidate to notify the secretary of state at least fifty days prior to the primary election if he wishes to withdraw his name from the ballot.

Establishes the placement of candidates' names on the primary election ballot. Candidates in the presidential primary shall appear with the candidates of the same party for other offices; candidates nominated by committee and petition shall appear first, their placement determined by lot, unless the balloting order has been determined by the party's pre-primary nominating convention.

Requires the secretary of state to notify the state chairman of each political party participating in the primary of the names of all candidates and uncommitted delegations and the total vote and percentage of the total vote received by each candidate or delegation, and that each party select its allotted delegates according to its party rules.

Establishes the manner in which the chairman of each party's delegation will apportion the delegate vote and requires that any votes released before the first ballot by the written release or death of the candidate be allotted to the uncommitted delegation.

Changes the filing deadline for delegate pledges: the delegate must file with the state chairman of his political party at least fifteen days, and the state chairman must submit it to the secretary of state at least ten days, before the national convention.

Requires that a delegate be affiliated with the party he represents at least forty-five days prior to the presidential primary election.

Repeals a provision which required the secretary of state to certify the list of delegates and alternates to the credentials committee of each political party participating in the presidential primary election.

NEW YORK

SB 7207, Chapter 5, Approved 2/14/80

Provides that paper ballots may be used for any village election held on March 18 or 25, 1980.

SOUTH CAROLINA

SB 475, Approved 1/21/80

Requires the election of a county governing body from single-member districts, unless otherwise determined by referendum, in a county in which the governing body was appointed rather than elected immediately prior to June 25, 1975.

Authorizes the general assembly to prescribe the form of government of a county, the manner of election, and number and terms of council members, if the governing body of a county is declared illegal. Allows the general assembly to determine by referendum the wishes of the electorate regarding the form of government, manner of election and number and terms of council members.

Directs the general assembly to reapportion all electoral districts within one year of the adoption by the state of the federal census, but allows the general assembly to delegate reapportioning authority to county councils.

Permits the salaries of supervisors to be increased during their terms of office, but prohibits supervisors from voting on the salary question when it is considered by the council.

SOUTH DAKOTA

SB 62, Approved 2/8/80

Repeals the South Dakota presidential preference primary (South Dakota Compiled Laws, sec. 12-6A-1 et seq.).

SB 106, Approved 2/8/80

See Section II for a summary of this law.

HB 1015, Approved 2/27/80

Provides that any registered voter who expects to be or may be absent outside the state or the United States on the day in which an election is held or who may be within the state on the day of any election but because of illness, temporary or total disability, observance of a religious holiday, resident attendance at school, college or a university or because of the nature and hours of his employment, and is not otherwise disqualified by law from voting in such election, may vote by absentee ballot.

States that a person who desires to vote by mail may apply to the person in charge of the election for an absentee ballot at any time at least seven days prior to an election.

Provides that a voter may apply for an absentee ballot in person during the seven days before the election up to 3:00 p.m. of the day of the election.

Specifies that in case of sickness or confinement, a qualified voter may apply in writing for an absentee ballot by authorized messenger. The person in charge of the election is authorized to issue such ballot to be delivered to the voter.

Requires an authorized messenger for more than one voter to notify the person in charge of the election of all the voters for whom he is a messenger.

Provides that if the envelope containing the enclosures to vote is not delivered personally by the person in charge of the election or an authorized messenger filling the voter's request for an absentee ballot, it shall, except for federal service voters, be mailed by first class mail.

Specifies that upon the return of the absentee ballot, the person in charge of the election shall provide authorized messengers with a receipt upon delivering the absentee ballots.

States that a record shall be kept by the person in charge of the election of the name of the authorized messenger requiring an absentee ballot to be delivered to another voter.

HB 1062, Approved 2/8/80

Provides that each voter signing a nominating petition, a referendum petition, or a peition proposing an ordinance may indicate by ditto marks the residence mailing address and the date on which the petition was signed if this information is the same as that last written above his signature.

HB 1069, Approved 2/19/80

Deletes a provision from the election code which required the secretary of state to request the annual involvement of the clerk of the U.S. district court in updating voting records.

HB 1070, Approved 2/19/80

See Section II for a summary of this law.

HB 1144, Approved 2/19/80

See Section II for a summary of this law.

HB 1247, Approved 2/11/80

Prohibits a candidate for the office of U.S. Senator or Representative in Congress from filing a certificate of nomination to run in the general election if he was defeated in the primary election.

TENNESSEE

SB 212, Chapter 483, Approved 2/22/80

Requires the chairperson of each statewide political party to certify to both the secretary of state and the coordinator of elections: (a) the number of delegates to the national convention allocated by the national party to be elected by the state party; and (b) the number of delegates allocated to the state party by the national party to various congressional districts in the state, and the number of delegates-at-large allocated by the national party to the state party.

Requires that when a political party has allocated three delegates from each congressional district by national party rules, at least one-third (formerly one-fourth) of a party's at-large delegates be elected by popular vote.

Adds a provision which ensures that the candidate who receives the greatest number of primarty votes will not receive fewer district and at-large delegates than the candidate with the next greatest number of votes.

Requires that petitions for a candidate for delegate to the national convention of a political party contain the name and address of the candidate, and that the petitions be verified by the commissioner of elections.

Changes the deadline for filing or mailing of nominating petitions by candidates for election as delegates to the national convention of a political party from the second to the third Tuesday in March of a presidential election year.

UTAH

SB 24, Approved 2/13/80

Provides that county primary conventions may be held during the month of May as well as in June.

WASHINGTON

SB 3359, Chapter 3, Approved 2/6/80

Provides that a special state, county, city, town and district election may not be held on the second Tuesday in March (a date specified as being a normally acceptable special election date choice), if a statewide political party caucus by a major political party is scheduled for that day, but may be held on the third Tuesday in March.

Provides that this is the ruling statute regarding mandatory dates for holding elections except for those elections held pursuant to a home-rule charter adopted under art. XI, sec. 4, of the state constitution.

Provides that in any county holding an election on the second Tuesday in March of 1980 pursuant to a home-rule charter, any city, town or district where any portion of the registered voters of that city, town, or district reside within that charter county may hold special elections on that date.

WISCONSIN

AB 459, Chapter 110, Approved 2/20/80

Changes the terminology specifying the disqualification of voters from those persons who are "non compos mentis, insane," to those persons who are "incapable of understanding the objective of the elective process."

SECTION II - STATE CAMPAIGN FINANCE SESSION LAWS

SOUTH DAKOTA

SB 106, Approved 2/8/80

Prohibits the imposition of filing fees for the filing of statements of contribution and financial interest in the office of secretary of state.

HB 1070, Approved 2/19/80

Prohibits any information that is obtained from any report or statement filed with the secretary of state pursuant to chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) from being sold or used by any person for the purpose of soliciting contributions, or any commercial purpose. Specifies that the prohibition on use for a commercial purpose does not include the sale of newspapers, magazines, books, or other similar communications, the principal purpose of which is not to communicate lists or other information obtained from a campaign finance report.

HB 1144, Approved 2/19/80

Permits municipalities and counties to make the provisions of chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) applicable to municipal elections.

SECTION III - FEDERAL LEGISLATION

SYNOPSIS OF MAJOR FEDERAL LEGISLATION - 96TH CONGRESS

Campaign Financing - Public Financing

Presently, public financing is available to presidential candidates in both primary and general election campaigns. As special interest contributions toward congressional elections escalate, so interest in public financing grows. Proposals to extend public financing to congressional candidates have been introduced in every Congress since the 93rd Congress. In the 96th Congress, both the House and the Senate have introduced public financing bills.

S. 623, introduced by Senator Kennedy, has been co-sponsored by Senators Mathias, Cranston, Stafford, Tsongas, Cohen, De Concini and Biden. S. 623 provides for voluntary public financing of general elections to the U.S. Senate. To receive federal money, candidates would agree on limiting expenditures for any one campaign to $250,000 plus 10 cents multiplied by the voting age population of the appropriate state; raise at least $100,000 or 10% of allowable total of campaign expenditure from individuals contributing $100 or less; receive at least 80% of total contributions from residents of their own state; and expend not more than $35,000 of their own personal funds toward the campaign. Funds would be matched in increments of $10,000 until the amount of campaign funds total the agreed on spending ceiling for that state. S. 623 also specifies certain conditions where all candidates in a specific race would be relieved of their limited expenditure promises.

S. 1339, introduced by Senator Stone, is another public financing bill. In this bill the public financing aspect would be activated only when any candidate in a particular election campaign for the U.S. Senate accepts contributions which exceed the contribution threshold of $250,000 plus 10 cents multiplied by the voting age population of the respective state.

Public financing was a big issue in the House and had been given the symbolically important designation H.R. 1 by the House leadership. H.R. 1 was introduced by Representative Mikva and had been co-sponsored by 150 House members. H.R. 1 provided for voluntary public financing of general elections to the House of Representatives. To receive federal money, candidates would agree on a spending ceiling of $150,000 plus $15,000 for one mailing within a district; raise at least $1,000 on their own from individuals contributing $100 or less; receive at least 80% of total contributions from residents of their own state; and expend not more than $25,000 out of their own pockets toward the campaign. Funds would be matched in $10,000 increments up to $60,000, not exceeding, in the aggregate, $180,000 for all candidates. In the event that a candidate chose not to accept public money and to spend more than $25,000 of his or her personal funds or $75,000 overall, H.R. 1 would relieve all candidates in that race of their spending ceiling promises and they would be eligible to receive additional federal funds. Hearings for H.R. 1 were held on March 15, 20, 21, 22 and 27, 1979, by the House Administration Committee. The bill was voted down by the committee on May 24, 1979. A roll call vote to report the bill out of committee without approval, was also defeated. A motion to reconsider the bill was approved unanimously by the committee on May 24, 1979.

H.R. 2221, introduced by Representative Pease, is a combination of H.R. 1 and another bill which specifies the tax check-off system that provides the money for public financing. H.R. 564, introduced by Representative Mazzoli, is basically a more economical version of H.R. 1. The spending ceiling is $125,000 per campaign with a matching payment limit of $51,000 and a $150,000 aggregate payment limit to all candidates in an election.

H.R. 496, introduced by Representative Howard, has a spending ceiling of $100,000; requires that total campaign contributions exceed $10,000 with the aggregate of individual contributions not exceeding $100; prohibits candidates from expending more than $10,000 in personal funds; limits total amount of payments per candidate to $50,000 with a limit of $100,000, in the aggregate, to all candidates in one campaign. If any candidate exceeds money limits, all of the candidates in that campaign are relieved of expenditure limitations.

Though H.R. 2849, introduced by Representative Maguire, provides for public financing of congressional campaigns, dollar amounts throughout the bill are given only for the House. To be eligible to receive payments under H.R. 2849, House candidates must have received at least $7,500 in contributions, agree to limit expenditures to $125,000 in a primary or general election campaign and agree to certain record keeping and auditing requirements. The bill also limits the total amount of public funds received by one candidate to be not more than 50% of the expenditure limitation.

Electoral College Reform

Currently, the President and Vice President are not elected by direct popular vote, but are instead chosen by the Electoral College which is basically composed of individuals who are elected and convene in their own states. Under the practice followed in most states, the presidential candidate whose party receives a plurality of the popular vote is awarded all of the electoral votes of that state. The number of electoral votes to which each state is entitled equals the number of Representatives and Senators which the state has in Congress. The "winner take all" aspects of the Electoral College System often result in a presidential candidate receiving an electoral vote total which does not reflect the popular vote received by the presidential electors.

As in past Congresses, several proposals have been introduced during the 96th Congress to change the method of electing the President and Vice President. Some of the proposals would retain the present electoral vote system, but with certain changes so that the electoral vote would be more reflective of the popular vote received by the candidate. Other proposals would totally eliminate the electoral vote system and would elect the President and Vice President by direct popular vote.

SYNOPSIS OF MAJOR FEDERAL LEGISLATION CONT'D

S.J. Res. 1 and an identical S.J. Res. 28, introduced by Senator Bayh, proposed the direct election of the President and Vice President. S.J. Res. 28 was placed on the Senate calendar on February 22, 1979, bypassing committee action. Later, it was agreed that the proposed amendment would go to the Judiciary Committee for hearings (to give its six new members time for study), be reported back to the Senate during April and be called up for Senate action by the majority leader any time after June 1, 1979. Hearings were held March 27, 30, April 3rd and 9th. Senate Rept. No. 96-111 was submitted by the Judiciary Committee. The Senate considered S.J. Res. 28 on June 21, 26, 27, and July 9. The resolution failed to pass the Senate on July 10, 1979.

The House has introduced a total of eighteen "direct" election proposals. The majority of these proposals require a team (consisting of a candidate for President and a candidate for Vice-President) to win 40% of the vote in order to win the election; if the required percentage is not attained, the majority of the proposals specify that a run-off election must be held. S.J. Res. 51, introduced by Senator Cannon, H.J. Res. 88, introduced by Representative Vander Jagt, and H.J. Res. 125, introduced by Representative Ashbrook, propose a "proportional" plan where the electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received. H.J. Res. 106, introduced by Representative Fuqua and H.J. Res. 207, introduced by Representative Conable, propose the "district" plan where the electoral college is preserved but where the electors would be chosen by the voters from districts created within the state. S.J. Res. 48, introduced by Senator Bayh and H.J. Res. 223, introduced by Representative Bingham, propose the "automatic" plan where the Electoral College would be abolished but where the electoral votes of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state (see analysis of the Electoral College at the end of Section II - Federal Legislation, for more information).

Free Mailing of Absentee Ballots

Hearings were held on March 13, before the Post Office and Civil Service Committee's Subcommittee on Postal Operations and Services, on proposed legislation to permit the free mailing of absentee ballots for federal offices. The four proposals include: H.R. 4759, introduced by Rep. Bonker, which would provide for the free mailing of absentee ballots from an individual to an election agency: H.R. 4773, introduced by Rep. Tauke, and H.R. 4843, introduced by Rep. Corcoran, which provide for the free mailing of absentee ballots from an individual to an election agency and vice versa; and H.R. 5529, introduced by Rep. Spellman, which calls for the free mailing of absentee ballots from an individual to an election agency as well as providing for third-class postage rates for certain registration materials sent to an individual from an election agency and vice versa. None of the bills would allow free postage to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975.

SENATE MEASURES

S. 16 1/15/79 Weicker Rules and Administration

"Presidential Primary Act"

PRIMARY ELECTIONS - PRESIDENTIAL:
- Provides that a nationwide Presidential primary be held in each state on the 1st Tuesday in August of each Presidential election year:
- Voters may vote only for the candidates of the voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- If there is no provision for registering for party affiliation in a state, voters shall follow the procedure prescribed by the Attorney General in registering their party affiliation for this primary;
- The results of the primary shall be transmitted to the President of the Senate within 5 days, and 5 days after received the results shall be published in the Congressional Record;
- To qualify as a candidate, an individual must file a petition by June 30 with a required number of signatures equaling at least 1% of the total votes cast in the previous Presidential election, but no signature will be accepted from a person who is a member of a different political party from the candidate's party;
- If the winning candidate does not receive 50% of the votes cast for all candidates of his party, a second primary shall be held the 3rd Tuesday following the 1st primary and a run-off shall be between the two party candidates receiving the greatest number of votes;
- If a Presidential candidate dies or resigns before nominating a Vice Presidential candidate, the successor will be nominated by the party convention, or, if both candidates die or resign, new candidates will be chosen by the national party committee composed of a delegation of each state;

CONTRIBUTIONS & EXPENDITURE LIMITATIONS:
- Limits federal campaign contribution and expenditures to the year in which a federal election is held;

S. 21 1/15/79 Weicker Finance

CAMPAIGN FINANCING - PUBLIC FINANCING - PRESIDENTIAL CAMPAIGNS:
- Repeals public financing provisions for Presidential primary and general election campaigns;

S. 22 1/15/79 Proxmire Commerce, Science and Transportation

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:
- Repeals the following sections of the Communications Act of 1934:
  (1) Section requiring broadcast stations to permit a legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy;
  (2) Section requiring broadcast stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time;
  (3) Section prohibiting political editorials by broadcast stations;

S. 217 1/25/79 Proxmire Banking, Housing & Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:
- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

S. 291 1/31/79 Ribicoff Governmental Affairs

"Voters Information Act of 1979"

INFORMATION ON ELECTIONS - POST OFFICE LISTING:
- Provides for posting information in post offices with respect to registration, voting and communicating with lawmakers at the federal and state levels;

S. 392 2/8/79 Cohen et al. Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Requires that efforts be made to locate polling and registration places for federal elections which are readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by an elevator;
- Requires filing of a report with the Attorney General 60 days before election or close of registration when standards prescribed are not met;
- States which have established equivalent building standards are not required to comply;

S. 392 cont.

- Alternative methods of voting provided when standards prescribed are not met: 1) selection of an alternative polling place within the same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing the right to vote;
- Alternative methods of registration must be enacted if requirements are not met;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) written instructions and directions must be posted at each polling and registration place sufficient to provide deaf individuals with adequate information; 3) individual must be allowed to select another individual to accompany him to the polls;
- Attorney General may institute in the name of the U.S. any action in U.S. district court which will assure implementation of this Act;

S. 596 3/8/79 Danforth et al. Governmental Affairs

"Congressional Anti-Gerrymandering Act of 1979"

APPORTIONMENT AND REDISTRICTING:
- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. § 2a) as follows:
- Provides that each state establish a five member redistricting commission, appointed as follows:
    1. Partisan bicameral legislature--the following people will each appoint one member:
        a. majority leader of the state senate
        b. speaker of the state house
        c. minority leader of the state senate
        d. minority leader of the state house
    2. Nonpartisan bicameral legislature--leader of each house will appoint two members
    3. Partisan unicameral legislature--the majority leader and the minority leader appoint two members
    4. Nonpartisan unicameral legislature--leader of legislature appoints four members; no more than two may be members of the same political party after consultation with leaders of state political parties
    5. The fifth member shall be the chairman of each state commission and shall be chosen by the other four members
- Redistricting commission will establish a number of districts equal to number of Representatives entitled, using the following standards:
    1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than 2% from the quotient obtained by dividing the population of the state by the number of Representatives entitled
    2. Boundaries of each district will be composed of convenient contiguous territory and will be compact

S. 596 cont.

   3. Boundaries may not be drawn to favor a political party, incumbent or other individual, nor to dilute the voting strength of any language or racial minority group
- Specifies that this Act will not supersede any section of the Voters' Rights Act of 1965;
- Specifies that the commission will conduct a public hearing in preparing a plan in setting up district boundaries;
- Provides that, not later than sixty days after publication of the district plan, any person meeting the qualifications of a voter for a member of the House of Representatives can challenge the apportionment in the district court;
- Specifies that the U.S. district court will have exclusive jurisdiction, appeals must be filed within thirty days after decisions and the Supreme Court will hear appeals as soon as practicable;
- Specifies that the redistricting commission cease to exist after the redistricting plan is put into effect;
- Provides criteria to be followed to elect Representatives until a state is redistricted in a lawful manner after any apportionment;
- Stipulates that the Federal Election Commission will provide reasonable costs incurred by state commissions while carrying out this Act;

S. 597 3/8/79 Bayh Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Similar to S. 392 except that it does not specify special provisions for deaf people and does include braille ballots as an alternative method for blind persons;

S. 623 3/12/79 Kennedy et al. Rules and Administration

"Senate Election Reform Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIGIBLE FOR MATCHING FUNDS:
- Commission must certify the eligibility of candidates to the Secretary of Treasury within 48 hours after a candidate files a request;
- Certifies to Federal Election Commission (FEC):
   1. To expend not more than $250,000 plus 10 cents multiplied by the voting age population of appropriate state
   2. That $100,000 or 10% of allowable total of campaign expenditure (whichever is smaller) have been received for candidate
- Agrees with FEC:
   1. To furnish them with campaign records (contributions and expenditures)
   2. To cooperate in any audit conducted by the Commission
   3. To receive only contributions approved of in 2 U.S.C. 441a

S. 623 cont.

4. To expend not more than $35,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTION RECEIVED FOR MATCHING FUNDS:

- Contributions received as loan, subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contributions exceed $100 shall not be taken into account;
- Contributions received before September 1st immediately preceding general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:

- Initial payment of $100,000 or 10% of allowable total of campaign contributions;
- In increments of $10,000 until the total amount of contributions received by him and matching payments made previously add up to the agreed spending ceiling for that state;
- At least two candidates have qualified for the election ballot in that state;
- Non-state contributions will not be matched if such contributions exceed 20% of aggregate matchable contributions;
- If full amount of entitlement is not available in account, amount remaining will be prorated;
- Payments can be used only to defray election cost for the election for which they were received and cannot be used to repay loans or make payments in any amount to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:

- If any other candidate in the same election:
    1. Fails to file a declaration of whether he intends to abide by expenditure limitations within 90 days of election
    2. Notifies Commission within 60 days before an election that there are reasons to believe expenditure limitations will be exceeded
    3. Notifies Commission and all other candidates in election within 48 hours after expenditure limitation has been exceeded
- Additional amount entitled cannot exceed 50% of the amount of expenditure limitation and will be based on contributions received after date expenditure limitation was suspended;
- If independent expenditures are made or costs of communication aggregate more than one-third of the limitation on expenditures, the Commission will suspend the limitation on expenditures;

SENATE GENERAL ELECTION CAMPAIGN ACCOUNT:

- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

CONTROLS AND ENFORCEMENT:

- Commission will conduct examination and audit campaign expenditures of all candidates after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 704 3/21/79 Dole Rules and Administration

ELECTION OFFENSES - STATUTE OF LIMITATIONS:
- Amends Federal Election Campaign act of 1971 changing the statute of limitation from three years to four years;

S. 714 3/21/79 Stevenson Rules and Administration

"Campaign Contributions Act of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Prohibits mulicandidate political committees from contributing to the campaign of a candidate for federal office;
- Stipulates candidate to the House of Representatives may receive $5,000 for a campaign by the committee of a political party;

S. 832 4/5/79 House Administration

ACTION: 3/29/79 - Reported from Com., S. Rept. 96-53
4/4/79 - Passed Senate
4/5/79 - Referred to House Administration Com.
8/21/79 - Reported from H. Comm., H. Rept. 96-408 Supp. Rept. 9/12/79
10/17/79 - Passed House Amended

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC;

S. 964 4/10/79 Packwood et al. Rules and Administration

PRIMARY ELECTIONS - PRESIDENTIAL:
- Establishes five regional Presidential preference primary elections, the first to be held in March and the last in July of each Presidential election year;
- Individuals generally recognized in national news media as candidates, unless they sign an affidavit to the contrary, will appear on the ballot, as well as any candidate who files a nomination petition signed by 1% of the registered voters of the region, or who pays a $10,000 filing fee;
- Regional primary will be held in each state which chooses to hold a primary;
- Voters may vote only in primary of their registered party affiliation;
- Candidate receiving 5% or more of votes to appoint number of convention delegates proportionately to number of votes received, and delegates generally bound to vote for that candidate;
- FEC to administer primaries;

S. 994	4/24/79	Pell	Rules and Administration

ACTION: 5/8/79 - Reported from Rules and Administration S. Com.
No written report
5/10/79 - Passed Senate

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC;

S. 1052	5/1/79	Hayakawa et al.	Judiciary

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

S. 1339	6/13/79	Stone	Rules and Administration

"Senate Campaign Contribution Reduction Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIBIGLE FOR MATCHING FUNDS:
- Certifies to Federal Election Commission (FEC):
  1. Candidate is the nominee of a major party for U.S. Senate
  2. Candidate received at least 25% of total votes cast in either of the two most recent general elections for U.S. Senate in same state as is now a candidate, or
  3. Candidate is seeking election and has accepted contributions of not less than 10% of the contribution threshold
- Agrees with FEC:
  1. To keep and furnish them with campaign records (contributions and expenditures)
  2. To cooperate in any audit conducted by the Commission

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Contribution threshold is designated as $250,000 plus 10 cents multiplied by the voting age population of the respective state;
- No payment to be made to any candidate until Commission determines that at least one candidate has accepted contributions in excess of contribution threshold at which time payments to all other eligible candidates in that race will be as follows:
  1. Candidates who have not accepted excess contributions are entitled to an amount equal to the amount by which the candidate who has accepted the greatest amount of contributions exceeds the threshold
  2. Candidates receiving contributions in excess of threshold are entitled to amount equal to 10% of threshold where another candidate has accepted the greatest amount of contributions by an amount in excess of 10% of threshold

S. 1339 cont.

3. No candidate will be paid in the aggregate more than 50% of the contribution threshold
4. All contributions accepted on behalf of a candidate will be considered to be contributions accepted by the candidate
5. Commission is required to certify eligible candidates to the Secretary from time to time allowing them to be paid amounts due in increments of not less than $10,000

REPORTING REQUIREMENTS:
- Candidates whose contributions exceed threshold are required to notify Commission and all other candidates in same election within 48 hours;
- Candidate must file a declaration with the Commission whether he/she intends to accept contributions in excess of the threshold either when he/she qualifies for election or 90 days before election (whichever is earlier);
- Candidates must notify the Commission not later than 60 days before election if there is reason to believe that excess contributions will be accepted unless candidate filed a timely declaration that he/she intended to exceed threshold;

SENATE CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- If Secretary of Treasury determines there are insufficient amounts of money to pay full entitlement to eligible candidates, the Secretary must notify all eligible candidates by registered mail of the pro rata amount which will be available;

CONTROLS AND ENFORCEMENT:
- Commission will conduct examination and audit campaign expenditures of all candidates receiving payments after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 1414 6/26/79 Goldwater Governmental Affairs
ACTION: 8/2/79 - Reported from Comm., S. Rept. 96-303
2/28/80 - Indefinitely postponed

GOVERNMENT EMPLOYEES - CREDIT FOR SERVICE:
- Provides that a congressional employee who is otherwise entitled to a separation annuity and who has been continuously employed by the same member of Congress for six years before the member separated from service as well as six years following the separation, will be entitled to credit for service for period that member was separated under the following conditions:
    1. The member was a candidate of a political party for office of President but not simutaneously a candidate for the Senate or House
    2. Member was not elected to office of President
    3. Employee was continuously employed by former member during entire period of members separation from Congress
    4. Member was not separated from Congress for more than five years

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S. 1700 8/3/79 Kennedy et al. Rules and Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:
- Amends the Federal Election Campaign Act in the following ways:
- Prohibits non-party multicandidate political committees from making contributions to a candidate for the Senate which exceed the following amounts in any calendar year:
  1. $5,000 - general or special election and primary election relating to such general or special election
  2. $7,500 - general or special election and both a primary and a runoff election relating to such general or special election (not more than $5,500 for one election)
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
  1. Worth more than $1,000
  2. For period of more than 30 days after date on which such goods or services are furnished

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S. 1757 9/17/79 Pell Rules and Administration
ACTION: 9/17/79 - Reported from Comm., S. Rept 96-319
12/18/79 - Indefinitely postponed (See H.R. 5010 which was amended by Senate)

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:
1. Contributions
   - The present exemption granted to legal and accounting services contributed to the national committee of a political party is extended to all political party committees;
   - Does not include vendor expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate;
2. Contributions and Expenditures
   - Does not include, among other things, certain residential use costs, volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; the unreimbursed payment by a delegate or candidate for delegate to a convention or caucus of a political party for costs incurred in connection with such activities; funds given by a political party to pay expenses of delegate or candidate for delegate to a political party caucus or convevtion; expenses of political party incurred in sponsoring a caucus or convention

S. 1757 cont.

of the party; certain payments made by political party committees for campaign materials used in volunteer activities (e.g., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), if such payments are made only with funds not designated for a particular candidate; certain payments for costs of voter registration and get-out-the-vote activities of a political party;

3. Expenditure
   - Does not include legal and accounting services contributed to any political party (changed from national committee of a political party);
   - Provides that cancelled checks would be prima facie evidence of an expenditure having been made;
4. Political Committee
   - Exempts from the definition of political committee any state or local committee of a political party which does not receive in a calendar year contributions aggregating more than $5,000;

POLITICAL COMMITTEES:

- Provides that, if candidate for federal office chooses not to designate a committee to serve as principal campaign committee, the Commission must be notified that such individual will not authorize any political committee to receive contributions or make expenditures on his behalf;
- Provides that the principal campaign or authorized committee of a candidate must include the name of candidate in its title (all other political committees for that candidate are prohibited from including name of candidate);
- Provides that candidate will not be liable for the debts of his principal campaign committee;
- Provides that, in order to qualify as a multicandidate committee, a political committee must have made contributions to five or more candidates for federal office in amounts aggregating at least $250 each;
- Provides that, when any Presidential or Vice-Presidential candidate designates the national committee of a political party as his principal campaign committee, all contributions to the political committee of that national committee will be limited to $1,000 per individual and $5,000 per multicandidate political committee;
- Provides that only one of the following methods may be used by a national committee of a political party to make expenditures in connection with a general election campaign of a Presidential candidate of that party up to the greater of $20,000 or two cents multiplied by the voting age population of that state:
  1) The state committee of a political party make such expenditures; or
  2) The national committee of a political party may designate one political committee in each state which will be authorized to accept contributions and to make expenditures;

REPORTING REQUIREMENTS:

- Requires candidates and their principal campaign committee to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);

S. 1757 cont.

- Raises the threshold above which contributions and expenditures would have to be reported to $200;
- Provides that independent expenditures expressly advocating the election or defeat of a clearly identified candidate need be reported only when expenditure exceeds $250 within a calendar year;

FEDERAL ELECTION COMMISSION:
- Provides that the Commission may employ or appoint counsel without regard to the provisions of Title 5 U.S.C. to appear in and defend against any action instituted under this Act;
- Provides that no candiate for election or for nomination for election to the Senate or the House of Representatives will be audited on a random basis more than once in any election cycle;

MISCELLANEOUS:
- Provides that reports and statements filed with the FEC may not be sold or utilized for the purpose of soliciting contributions but that the name and address of any political committee may be utilized for the purpose of soliciting contributions from such committee;
- Provides that under certain conditions a corporation may approve the solicitation or contributions by trade associations from the stockholders and executive or administrative personnel of the member corporations of such trade associations;
- Provides that a delegate or candidate for delegate to a convention or caucus of a political party which will nominate candidates for federal office will be deemed as a candidate for election to federal office as concerns limitations contributions, expenditures and reporting requirements--requires such delegates requires such delegates report expenses and contributions which exceed $2,500 (exclusive of travel and subsistance);

S. 1758 9/17/79 Levin et al. Governmental Affairs

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENTAL EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends Title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Servie or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;

S. 1758 cont.

- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

S. 2074 12/4/79 Levin Governmental Affairs

BALLOTS - ABSENTEE:
- Provides that requests for absentee ballots within free of postage envelopes will be made available to the general public by the U.S. Postal Service;
- Provides that the U.S. Postal Service will also make free of postage envelopes available to election agencies to be used by persons requesting absentee ballots;
- Provides that free postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

S. 2272 2/7/80 Weicker Judiciary

"Public Prosecutor Act of 1980"

ETHICS - PUBLIC PROSECUTOR, ESTABLISHING POSITION:
- Establishes the Office of Public Prosecutor and Deputy Public Prosecutor, detailing jurisdiction, powers, and relationship with the Attorney General;
- Includes, among others, the national campaign manager or chairman of any national campaign committee for the election of the President and any officer or employee of the Senate or the House of Representatives designated under the rules of the respective body to handle campaign funds as being within the jurisdiction of the Public Prosecutor with respect to any matter involving the violation of serious federal criminal law;

S. 2325 2/21/80 Helms Rules and Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:

- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions;
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as a condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

S. 2366 2/28/80 Huddleston et al. Governmental Affairs

APPORTIONMENT - CENSUS:

- Provides that methods and procedures be used which will assure that illegal aliens not be counted in the decennial censuses for the following reasons:
  1) To prevent the loss of congressional representation of many states by including illegal aliens in the reapportionment base for the House of Representatives
  2) To prevent the citizens and legal residents of many states from receiving less than their proportionate share of federal assistance programs which are distributed completely or partially on population figures

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S.J. Res. 33 2/5/79 Hatfield et al. Judiciary

REFERENDUM - VOTER INITIATIVE:

- Proposes an amendment that, except for certain rights retained by Congress, allows electorate to directly initiate or repeal laws passed by Congress, through petition and ballot;
- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by 3% of electorate in at least ten states; the total number of signatures must total 3% of the nation's electorate;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of 2/3 of the members of the House and Senate;

S. Res. 236 9/18/79 Hatfield et al.

CANDIDATES - DEBATES - FUNDING:

- Provides that Senate disapproves of regulations proposed by the Federal Election Commission relating to the funding and sponsorship of candidate debates;

H.R. 1 1/15/79 Mikva et al. House Administration
ACTION: 3/15, 20, 21, 22 & 27 - Hearings before full committee

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within 48 hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
    1. To furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by the Commission
    3. To receive only contributions approved of in 2 U.S.C. § 441a
    4. To expend not more than $150,000 in campaign
    5. To expend not more than $25,000 of personal funds or funds of any member of the immediate family in the campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan, subscription, advance, deposit or contributions of products or services shall not be taken into account;
- Contributions received from any entity other than an individual shall not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before Jan. 1st of a general election year or after date of the election shall not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;
- Additional matching payments not exceeding 40% of $150,000 (expenditure limitation) to be paid in increments of $10,000;
- At least two candidates have qualified for the election ballot in the state;
- Non-state contributions will not be matched if such contributions exceed 20% of aggregate matchable contributions;
- Aggregate payments to all candidates in an election shall not exceed three times the maximum amount payable in matching funds;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditures for the opposing candidate is removed and he is eligible to receive additional matching funds;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission shall suspend the limitation on expenditures;
- One campaign mailing allowed which is not included when totaling expenditures at least two weeks prior to election not exceeding 10% or $150,000;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in account;

CONTROLS AND ENFORCEMENT:
- After each general election the Commission will audit 10% of randomly selected eligible candidates;
- If four Commission members vote that a reason exists for believing that violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit shall be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 69	1/15/79	Bennett	House Administration

CANDIDATES - EXPENDITURES:
- Requires sufficient funds be maintained in candidate or political committee checking account to cover all expenditures at the time the expenses occur;
- No person may provide services or goods to a candidate or political committee prior to payment by the receiver;

H.R. 72	1/15/79	O'Brien	House Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Requires efforts be made to locate polling and registration places for federal elections readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by elevator;
- Requires filing of report with Attorney General 60 days before election or close of registration when standards prescribed not met;
- States having established equivalent building standards not required to comply;

H.R. 72 cont.

- Alternative methods of voting provided when standards prescribed not met: 1) selection of alternative polling place within same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing right to vote;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) individual must be allowed to select another individual to accompany him to the polls or braille ballots must be available; or 3) any other alternative method guaranteeing the right to vote;
- Attorney General may institute in name of U.S. any action in U.S. district court which will assure implementation of this Act;

H.R. 125 1/15/79 Bennett House Administration

"Regional Presidential Primaries Act of 1979"

PRIMARIES - PRESIDENTIAL - NATIONAL:
- Establishes six regional Presidential preference primaries beginning in March and ending in June;
- Voters may vote only for the candidates of voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- Ballots to select convention delegates must indicate name of party candidate;
- In order to receive matching payments of public funds for primary campaign, candidate must agree to appear on ballot of at least one state in each of six regions;

H.R. 319 1/15/79 Fish House Administration

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Substantially the same as H.R. 72 except it does not specifically mention providing braille ballots for those unable to operate the voting machine;

H.R. 364 1/15/79 Gradison Post Office and Civil Service

FRANKING PRIVILEGE:
- Prohibits any mass franked mailings by a Senate or House Member 60 days before a primary for the public office held by the member (regardless of whether the member participates in the primary) or 120 days before a general or special election in which the member is a candidate;

H.R. 496 1/15/79 Howard House Administration

"House of Representatives Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants not later than ten days after application;
  1. That campaign expenditures will not exceed $100,000
  2. That candidate has qualified to have name on election ballot
  3. That the aggregate of contributions toward campaign exceed $10,000; the aggregate of individual contributions within $10,000 total does not exceed $100
- Agrees with FEC:
  1. To obtain and furnish evidence requested by FEC pertaining to campaign expenses
  2. To keep and furnish to FEC records of date and amount of contribution, full name and address of contributors
  3. Agree to audit by FEC and abide by decisions which may result including reimbursement of matching payments made through error or fraud
  4. That the aggregate of candidates' personal funds expended in campaign does not exceed $10,000

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Equal to amount of each contribution except:
  1. Contributions received from individuals which exceed $100
  2. Any personal funds of candidate used in campaign
  3. Total amounts of payments cannot exceed $50,000 for individual candidate
  4. The aggregate amount of payments to all candidates in one campaign for an elective office cannot exceed $100,000
- Contributions received before Jan. 1st of general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- At least two candidates have qualified for the election ballot in state;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs and loans incurred for the election for which they were received;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If any candidate exceeds the expenditure limits set in this bill, the FEC will notify the opposing candidates for that office of the inapplicability of the expenditure limitation for the remainder of the campaign for all candidates for that office;

HOUSE OF REPRESENTATIVES ELECTION PAYMENT ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

H.R. 496 cont.

- Secretary notifies FEC by June 1st in biennial general election year amount to be available in Account;
- FEC will transmit to the Secretary by July 1st a formula for prorating payments to candidates if amount in Account will not be sufficient;

CONTROLS AND ENFORCEMENT:
- After each general election the FEC will conduct an audit of campaign contributions raised to obtain matching funds;
- Provides for participation by the FEC in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 548	1/15/79	McCloskey	Judiciary

"Voting Rights Act Repealer Amendments Act of 1978"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude language minority groups;

H.R. 564	1/15/79	Mazzoli	House Administration

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within 48 hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
  1. To furnish them with campaign records (contributions and expenditures)
  2. To cooperate in any audit conducted by Commission
  3. To receive only contributions approved of in 2 U.S.C. § 441a
  4. ** To expend not more than $125,000 in campaign
  5. To expend not more than $25,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before January 1st of general election year or after date of election will not be taken into account;

H.R. 564 cont.

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;
- ** - Not more than 5 matching payments of $10,000 each;
- At least two candidates have qualified for the election ballot in state;
- Non-state contributions will not be matched if such contributions exceed 20% of aggregate matchable contributions;
- ** - Aggregate payments to all candidates in an election must not exceed $150,000
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- ** - If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditure for the opposing candidate is removed and he is eligible to receive not more than 5 additional matching payments of $10,000 each;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission will suspend the limitation on expenditures;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in Account;

CONTROLS AND ENFORCEMENT:
- ** - After each general election the Commission will audit randomly selected campaign accounts;
- If four Commission members vote that a reason exists to believe violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit will be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

** Indicates where this bill differs from H.R. 1

H.R. 1169 1/22/79 Ashbrook House Administration

"National Primary Election Act of 1979"

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES:
- Requires state primaries for Presidential and Vice Presidential candidates to be held on 2nd Tuesday in March, April, May or June of every Presidential election year;
- Allows political party to be eligible for separate ballot in primary if party's candidate received 10% of total number of votes cast throughout U.S. in last Presidential election;

H.R. 1169 cont.

- Stipulates candidates qualify only for primary of party of registered affiliation;
- Requires Federal Election Commission to announce publicly tentative list of potential candidates for Presidential nomination of party of affiliation--persons may request admittance or reject inclusion on list;
- Alternative method for gaining admittance on primary ballot is outlined;
- Candidates receiving 10% or more of total vote cast in a state primary will be allocated delegate votes on first ballot at national nominating convention of affiliated party;

H.R. 1294 1/23/79 Drinan Interstate and Foreign Commerce

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:
- Repeals following sections of Communications Act of 1934:
  - (1) Section requiring broadcasting stations to permit legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy
  - (2) Section requiring broadcasting stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time
  - (3) Section prohibiting political editorials by broadcast stations

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H.R. 1466 1/24/79 Young House Administration

CANDIDATES - FEDERAL, PRESENT PUBLIC OFFICE RESIGNATION REQUIRED:
- Requires any candidate for a federal elective office to resign any elective public office (federal or state) held, the term of which ends after the beginning of the term of the federal office which such candidate seeks;
- Declares such resignation to be effective as of the beginning of term of office which candidate seeks, and is irrevocable;

H.R. 1516 1/25/79 Leach et al. Judiciary

CONGRESSIONAL DISTRICTS - APPORTIONMENT:
- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. § 2a) as follows:
- Provides that the legislature of any state may establish by law criteria to meet following standards of apportionment:
  1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than 2% from the quotient obtained by dividing population of state by the number of Representatives entitled

H.R. 1516 cont.

2. Boundaries of each district will, as much as possible, coincide with boundaries of local political subdivisions
3. Each district will be composed of convenient contiguous territory and will be compact
4. Boundaries may not be drawn to favor a political party, incumbent or other individual nor to dilute the voting strength of any language or racial minority group

- Specifies that this Act will not supersede any section of Voters' Rights Act of 1965;
- Specifies that U.S. district courts will have exclusive jurisdiction; appeals must be filed within thirty days after decisions and Supreme Court will hear appeals as soon as practicable;
- Provides that nine months from date a district is established any person meeting qualification of a voter in that district can challenge the apportionment in the district court of that jurisdiction;

H.R. 1783	2/1/79	Erdahl	House Administration

CANDIDATES - FILING REPORTS:
- Amends Federal Election Campaign Act of 1971 waiving the filing of certain quarterly reports with the Federal Election Commission;

H.R. 1904	2/8/79	Applegate	House Administration

"National Presidential Direct Primary Elections of 1979"

DAY FOR HOLDING ELECTIONS:
- Requires that direct Presidential primary elections be held throughout the United States on the first Tuesday after the first Monday in May of each Presidential election year;

H.R. 1951	2/8/79	Forsythe	House Administration, Post Office and Civil Service

ADVERTISING AND SOLICITATION - THIRD-CLASS MAILING:
- Amends Federal Election Campaign Act of 1971;
- Allows federal office candidates in general election to mail campaign materials at reduced third-class mailing rates;
- Third-class mailing may begin on date candidate is nominated or qualifies and end on election date;
- Mailing must be made to addresses located in the geographical area involved in election;

H.R. 1951 cont.

- Allows only one clearly identified candidate per mailing;
- Authorizes appropriations to the U.S. Postal Service equal to difference between revenues received under normal campaign mailing rates;

H.R. 1976 2/8/79 Lent Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Amends title 39 U.S.C. providing third-class postage rates for qualified county political committees be identical to third-class postage rates of qualified nonprofit organizations;

H.R. 2220 2/15/79 Pease Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Lowers tax credit for political contributions to Congressional candidates from $25 ($50 joint) to $10 ($20 joint);

H.R. 2221 2/15/79 Pease House Administration, Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Identical to a combination of H.R. 1 and H.R. 2220 respectively;

H.R. 2340 2/22/79 Glickman Banking, Finance and Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:
- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

H.R. 2357 2/22/79 Stratton House Administration

"Free Political Broadcasting Act of 1979"

ADVERTISING AND SOLICITATION - FREE POLITICAL BROADCASTING TIME:
- Provides free radio and television time to eligible candidates for election to Federal office who are of a major party, third party, or minor party and are properly certified;

H.R. 2357 cont.

- Each eligible candidate shall receive free broadcast time as follows:
  1. Presidential or Vice Presidential candidate of major party -- 2 1/2 hours; of third party -- 1 hour; and of minor party -- 30 minutes, with no more than 30 minutes to be used in any 5-day period
  2. Candidate for Senate of major party -- 2 hours; of third party -- 60 minutes; and of minor party -- 30 minutes, with no more than 30 minutes to be used in any 5-day period
  3. Candidate for Representative or Resident Commissioner of major party -- 1 hour, no more than 30 minutes to be used in 10-day period; and of third party or minor party -- 15 minutes, total not to be used in any 10-day period
- Candidate of third or minor party who is an incumbent shall receive the amount of free broadcast time allotted to a major party candidate;
- Free broadcast time shall be used to promote rational discussion and debate of election issues, no more than 25% used to present other than candidate's own remarks;
- No less than 1 minute of free time shall be used in one program, and no more than 15 minutes of free time in any 24-hour period;
- Free broadcast time will be available from 30 days before the election until the close of the day before the election, 75% made available during prime air time;

H.R. 2400	2/26/79	Clay	Post Office and Civil Service

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Service or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any persons whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;

H.R. 2400 cont.

- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

H.R. 2401	2/26/79	Clay	Post Office and Civil Service

"Federal Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:

- Amends title 5 U.S.C. removing present prohibitions barring Federal and D.C. employees from taking an active part in political campaigns, except for U.S. Postal Service or Postal Rate Commission employees and certain employees in restricted positions (as designated by the Office of Personnel Management), including employees involved with: foreign intelligence or security, law enforcement, contract or grant administration;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Office of Personnel Management;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office and agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit Systems Protection Board to impose penalties (suspension or removal) for violation of this Act;

H.R. 2401 cont.

- Provides for the Office of Personnel Management and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Office of Personnel Management to study and review the effects of this amendment and report findings to Congress;

H.R. 2653	3/6/79	Hanley	Judiciary

"Congressional Districting Act of 1979"

CONGRESSIONAL DISTRICTS - APPORTIONMENT:
- Amends apportionment of Representatives in Congress (2 U.S.C. 2a) as follows:
- Number of Congressional Districts to which each state is entitled will be established by an appointed redistricting commission--each district electing one representative;
- Redistricting commission will consist of five members--none may be officers of federal, state or local government;
- Each of the following will appoint one commission member where a partisan bicameral legislature is in effect in the state: 1) president of senate, 2) speaker of the house, 3) minority leader of senate, and 4) minority leader of the house;
- When nonpartisan bicameral legislature is in effect in the state, leader of each house will appoint two members of commission;
- When unicameral legislature is in effect, leader of legislature will appoint four members of commission after consulting with leaders of political parties in the state;
- The four members appointed by one of these methods will select a fifth member to be chairman, by affirmative vote of at least three members;
- Commission will conduct public hearings on preparation of planned boundaries and submit plan to Federal Election Commission (FEC), which will publish the plan in the Federal Register. Plan becomes effective 45 days after publication;
- Determination of boundaries cannot be made to minimize voting strength of any racial, ethnic, economic group or to favor any political party;
- Districts must be composed of contiguous territory;
- Boundaries of each district must coincide with boundaries of local political subdivision;
- District courts of the United States shall have exclusive jurisdiction to hear and determine any action which shall be heard by a three-judge court with an appeal to the Supreme Court where such cases will have priority on the docket;
- The FEC will administer and distribute to each state funds needed to carry out apportionment;

H.R. 2769 3/8/79 Thomas Judiciary

"Voting Rights Act Repealer Amendments Act of 1979"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

H.R. 2849 3/13/79 Maguire et al. House Administration

"Congressional Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING - CONGRESSIONAL CAMPAIGNS:
- Congressional Election Payment Account established in the Presidential Election Campaign Fund for the payment of qualified campaign expenses incurred by Congressional candidates in primary and general election campaigns;
- To be eligible to receive payments, at least two candidates must qualify for the ballot, candidate must make certain agreements regarding record keeping, auditing and expenditure limitations, and candidate is required to have received the following minimum contributions:
  1. House: $7,500
  2. Senate: (dollar amounts not included in bill)
- Entitlements: Eligible candidates entitled to matching payments equal to amount of contributions from residents of State in which election is held;
- Candidate who is not political party candidate will not be entitled to receive matching payments for primary campaign after the date of the last primary election held by a political party to nominate a candidate for the same office;
- In order to count toward threshold amount of minimum contributions or to be matched, contribution must be made during the calendar year of the election or the year immediately preceding;
- The total amount of public funds which a candidate may receive may not exceed 50% of his expenditure limitation;
- No contribution will be counted toward minimum or will be matched to the extent that it exceeds $100 per contributor;
- FEC must certify all payments and determinations are subject to judicial review;
- If funds in Account are insufficient to pay full entitlement of all candidates, they will receive a pro rata share;
- Criminal penalties prescribed for excess campaign expenditures, unlawful use of payments, false statements to FEC, kickbacks or making illegal payments;

EXPENDITURE LIMITATIONS:
- Candidates receiving public funds must agree to the following expenditure limitations:
  1. Senate:
     a. Primary (dollar amounts not included in bill)
     b. General Election (dollar amounts not included in bill)

H.R. 2849 cont.

2. House: $125,000 in a primary or general election
- Candidate who does not receive public funds and is not subject to limitations must report to FEC withn 48 hours after first making expenditures in excess of the limitations applicable to candidates receiving public funding;
- *When candidate reports to FEC that he has exceeced expenditure limitations,* no other candidate in race will be subject to limitations, regardless of whether or not public funds are accepted;
- In addition to candidate's expenditure limitation, political party may expend certain amounts on general electin campaign (See 2 U.S.C. § 441a(d));

H.R. 3114 3/20/79 Pease House Administration
Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Similar to H.R. 2221 except that it allows taxpayers to file tax credit under section 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3430 4/4/79 Jeffords House Administration

HONORARIA - LIMITATIONS:
- Amends the Federal Election Campaign Act of 1971 to prohibit members of Congress from accepting any honorarium (including paid or reimbursed expenses) in excess of $500;

H.R. 3438 4/4/79 McClory Judiciary

VOTING RIGHTS ACT - LIMIT:
- Identical to H.R. 2769;

H.R. 3534 4/9/79 Pease House Administration
Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Similar to H.R. 2220 except that it allows taxpayers to file tax credit under section 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3834 5/1/79 Jacobs House Administration

"Vendor Payment Act"

CAMPAIGN FINANCING - PUBLIC FINANCING - ADVERTISING:
- Provides for public financing of advertising and related expenses for candidates for election to the House of Representatives;

CANDIDATE ELIGIBLE FOR CAMPAIGN ALLOTMENT:
- Requires arranging in advance advertisement for the various media and installation of telephone equipment if question-and-answer format is used and submitting schedule to Federal Election Commission (FEC) not later than ten days before election;
- Certify to FEC that other expenditures (from personal, family or campaign contributions) will not be used for advertisements or telephone installation;
- Agrees to furnish FEC with a separate listing for television, radio and newspaper allotment specifying date and time or amount of space used, name of station or newspaper, and name of company installing telephones;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO FOLLOWING CAMPAIGN ALLOTMENTS:
- Television time--1 1/2 hour (each segment at least five minutes long);
- Radio time--135 minutes (each segment at least five minutes long);
- Newspaper advertising--126 column inches or one page, whichever is greater, (no individual advertisement can be less than ten column inches) or costs incurred by telephone installation for question-and-answer format;
- FEC will transmit to Secretary of Treasury a formula for prorating payments to all candidates if amount appropriated will not be sufficient to cover applications, candidates and media affected will be promptly notified of revision;

PARTICIPATING MEDIA COOPERATION SPECIFIED AS FOLLOWS:
- Requires media used to submit report of charges to Commission not later than ten days before election; Commission will notify media upon certification by Secretary that payment will be made not later than 30 days;
- Provides that, if Commission fails to certify charge, candidate and media involved will be allowed ten days to submit amended schedules and reports;

H.R. 3913 5/3/79 Sensenbrenner House Administration

FEDERAL ELECTION COMMISSION:
- Amends Federal Election Campaign Act of 1971 extending the period of limitations applicable to prosecutions from three to five years;

H.R. 4212 5/23/79 Ottinger House Administration

"Regional Presidential Primaries Act of 1979"

H.R. 4212 cont.

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:
- Establishes five regional Presidential primary election districts and sets dates for primary elections to be held in such districts for the purpose of electing delegates to the national political conventions;
- Candidates certified by the FEC to receive public financing for their primary campaigns must be placed on the ballot; in addition, candidates may have their names placed on the ballot of any state participating in the primary if they present a petition signed by at least 1% of persons registered to vote in the state;
- Voter eligible to vote only for delegates for a candidate for nomination by party of voter's registered affiliation;
- Delegates must vote for nomination of candidate for whom he/she was appointed until two ballots have been taken, or such candidate receives less than 20% of vote on a ballot or until such candidate releases such delegate;
- Directs Federal Election Commission to reimburse each state for costs of conducting a regional primary under this Act;
- Directs the Commission to report to the Congress and the President on steps it has taken to carry out such regional primary system;
- Declares that this Act shall supersede and preempt state laws relating to the nomination of any Presidential candidate;

H.R. 4244	5/30/79	Burton	House Administration

QUALIFICATIONS TO VOTE - AGE:
- Grants citizens who will be 18 years of age or older on the date of the related general or special election the right to vote in any primary or runoff election for federal office;

H.R. 4339	6/6/79	Glickman	Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Repeals third-class postal rates authorized for political committees;

H.R. 4412	6/11/79	Stack	House Administration

BALLOTS - SAMPLE:
- Requires U.S. Postal Service to furnish free of charge facilities, equipment and manpower to all political subdivisions for the mailing and delivery of sample ballots and sample ballot card information;
- Requires that sample ballots and information be mailed to each registered voter no less than five nor more than ten days prior to a general election;

H.R. 4412 cont.

- Requires cost of preparation for designating specific candidates for office as well as directions and instructions for the operation and usage of specific types of voting equipment to be borne by respective states or political subdivisions;
- Designates that Federal Election Commission will monitor violations of this Act;

H.R. 4759 7/12/79 Bonker Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4768 7/12/79 Minish House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - MULTICANDIDATE POLITICAL COMMITTEE:
- Amends Federal Election Campaign Act of 1971 reducing contribution allowed to a candidate by multicandidate political Committee from $5,000 per candidate to $1,000 per candidate;

H.R. 4773 7/12/79 Tauke Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency and vice versa of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4843 7/18/79 Corcoran Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to the state

H.R. 4843 cont.

or local election authority and vice versa of absentee ballots in any federal election;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4970   7/26/79   Obey et al.   House Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:
- Amends the Federal Election Campaign Act in the following ways:
- Prohibits nonparty multicandidate political committees from making contributions to a candidate for House of Representatives which exceed the following amounts in any calendar year:
    1. $5,000 - general or special election and primary election relating to such general or special election
    2. $7,500 - general or special election and both a primary and a runoff election relating to such general or special election (not more than $5,000 for one election)
- Prohibits candidates for House of Representatives from accepting contributions from other than committees of a political party which exceed $50,000 in any calendar year except:
    1. May accept contributions from other political committees aggregating not more than $50,000 with respect to general or special election and any primary election relating to such general or special election
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
    1. Worth more than $1,000
    2. For period of more than 30 days after date on which such goods or services are furnished

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H.R. 5010   7/30/79   Thompson et al.   House Administration

ACTION: 9/7/79 - Reported from House Administration Comm. (H. Rept. 96-422)
9/10/79 - Passed House amended
12/18/79 - Passed Senate amended
12/20/79 - House agreed to Senate Amendment
1/8/80 - Public Law 96-187

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:
1. Candidate
    - Adds that person is deemed to seek nomination for election if such

H.R. 5010 cont.

individual receives or consents to allow another to receive contributions or make expenditures in excess of $5,000;

2. Political Committee
   - Among other things includes local committee of political party which receives contributions in excess of or makes payments exempted from definition of expenditure aggregating in excess of $5,000 per calendar year or makes contributions or expenditures aggregating in excess of $1,000 per calendar year;
3. Contribution
   a. Includes gift, subscription, loan, advance of money and payment by any person for personal services of another person rendered to a political committee without charge
   b. Does not include, among other things, certain residential use costs, (including church or community rooms), vendor and volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; certain loans made by national or state banks, federal savings and loan institutions, credit unions or any institution whose deposits are insured by FDIC; certain legal and accounting services rendered to political party committees; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), including such materials which refer to any other candidate; certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
4. Expenditure
   a. Includes purchase, payment, distribution, loan, advance, deposit or gift of money and also means a written contract, promise, or agreement to make an expenditure
   b. Does not include, among other things, news story, nonpartisan register to vote activity, any communication by certain membership organization or corporation to its members, stockholders, executive or administrative personnel, except certain communications expressly advocating the election or defeat of candidate if costs exceed $2,000 for any election; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising); certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
5. Person
   - Includes individual, partnership, committee, association, corporation, labor organization, but does not include federal government;

H.R. 5010 cont.

POLITICAL COMMITTEES:

- Requires that the treasurer be appointed prohibiting committees from making expenditures or receiving contributions when there is vacancy in that office;
- Requires contributions to authorized political committees and contributions to all committees of $50 or more be forwarded to treasurer no later than ten days after receiving; contributions of $50 or less to other political committees must be forwarded no later than 30 days;
- Specifies recordkeeping duties of treasurer to include, among other things, the name and address of contributors of $50 or more and identification of persons contributing, in the aggregate, $200 or more per calendar year; identification of any political committee making contribution; name and address of persons to whom expenditures are made (receipt, invoice or cancelled check required for disbursements in excess of $200); requires all such records be preserved for three years;
- Specifies all funds of a political committee must not be commingled with the personal funds of any individual;
- Requires that candidates designate principal campaign committee within 15 days of becoming candidate;
- Stipulates that additional authorized committees may be designated but that such committee can support only one candidate except where presidential candidate may designate national committee of political party (the national committee must maintain separate "principal campaign committee" book of accounts) and where other candidates may designate a committee established solely for purpose of joint fundraising;
- Authorized committee must include in its name the name of authorizing candidate;
- Requires designation of one or more state banks or certain other banking facilities as a campaign depository - disbursements to be made by check drawn on required checking accounts of political committee;
- Outlines information to be included in statement of a political committee which must be filed within ten days of such designation;

REPORTING REQUIREMENTS:

- Requires candidates and their principal campaign committees to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);
- Requires persons who make independent expenditures of $250 or more during a calendar year advocating the election or defeat of a candidate, must file a statement;
- Allows political committees to submit ten pseudonym contributor names in order to protect against illegal use of names and addresses of contributors - committees must submit a separate list identifying fictitious names to Commission; these separate lists would not be made public;

H.R. 5010 cont.

- Allows non-candidate committees to file with appropriate Secretary of State only that portion of their disclosure report applicable to candidates seeking election in that state;

FEDERAL ELECTION COMMISSION:

- Outlines procedures and qualifications necessary for appointment to FEC requiring among other things that such members liquidate or terminate any other business, vocation or employment 90 days after appointment;
- Provides that the Commission may employ or appoint counsel to appear in and defend against any action instituted under the Act without regard to the provisions of Title 5 U.S.C.
- Details powers of the Commission including rendering advisory opinions to any person submitting certain written requests no later than 60 days after request is received or no later than 20 days if opinion is requested by a candidate or authorized committee of candidate during 60-day period before any election for federal office;
- Provides that FEC "Clearinghouse" compile information and review procedures regarding the administration of federal elections - allows contracts to fulfill this objective to be entered into;
- Provides that FEC is to have exclusive jurisdiction for civil enforcement of campaign laws;
- Provides that those who act upon advisory opinions that they have requested or those whose circumstances are indistinguishable from opinions previously rendered may rely upon the opinions and not be subject to any sanction provided by this Act;

ENFORCEMENT:

- Provides that, prior to conducting an audit of any political committee, an internal review of reports of selected committees to determine if threshold requirements have been met as well an affirmative vote of four Commission members must occur; audit must occur within 30 days of such vote within six months of the election for which committee is authorized;
- Requires Commission to notify any person alleged to have committed a violation of this Act within five days after Commission has received written, signed, sworn to and notarized complaint of such allegation; such person will have 15 days to demonstrate, in writing, that no action should be taken against him;
- Requires affirmative vote of four members of the Commission that there is probable cause to believe a violation has occurred or is about to occur before Commission may attempt, for at least 30 days and not more than 90 days, to enter into a conciliation agreement;
- Allows 120 day time period during which a complainant may seek court action because the FEC failed to act on his complaint;
- Provides that court action promulgated under this title will be put ahead of actions on the docket of the court in which it is filed;

CONTRIBUTIONS BY FEDERAL EMPLOYEES:

- Provides that solicitations of political contributions by candidates for Congress, members of Congress or any federal employee from any officer or employee of the federal government is prohibited;
- Provides that any officer or employee of the federal government may make voluntary contributions provided that the recipient of the contribution is not the employer or employing authority of the person making the contribution;

H.R. 5010 cont.

- Prohibition against soliciting or receiving contributions in a federal building would not apply to contributions received by mail so long as the contribution was not solicited in a federal room or building and is forwarded within seven days to a campaign committee;

MISCELLANEOUS:

- Provides that contributions received by a candidate in excess of amount needed to defray expenditures may not be converted to any personal use by any person who is not a Senator or Representative at the time this amendment is passed but may be used in the following ways:
  1) To defray necessary expenses incurred with duties as a federal office holder
  2) Contributed to certain organizations specified in § 170(c) of the Internal Revenue Code
  3) Used for any other lawful purpose including transfers without limitations to any national, state or local committee of any political party
- Stipulates that any communication through any broadcasting station, newspaper, direct mail or other type of general public political advertising expressly advocating the election or defeat of a clearly identified candidate must clearly state the name of person paying for the communication and whether or not it is authorized by the candidate or candidate's authorized committee;
- Raises from $2 million to $3 million the amount that each major political party may receive from the Presidential income tax check-off fund to operate its Presidential nominating convention;

H.R. 5081 8/2/79 Erlenborn House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Prohibits political committees other than national, state or local political party committees which are established by a national political party from making contributions to any candidate;

H.R. 5377 9/24/79 Rhodes et al. House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends Federal Election Campaign Act of 1971 changing the definition of "contribution" to include the value of volunteer services on behalf of a candidate or political committee unless such services are under the auspices of a corporation, labor organization, or any of their committees;

H.R. 5478 9/28/79 Ritter House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends the Federal Election Campaign Act of 1971 changing the amount of an individual contribution which must be included in the campaign reports of a candidate who is not an incumbent and who is a candidate for the office of Representative

H.R. 5478 cont.

from more than $100 to more than $500;

H.R. 5529 10/10/79 Spellman Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referndum conducted under authority of an election agency;
- Provides that any voting instruction, sample ballot, absentee ballot and envelope and registration application sent by election agency to voter and any registration application returned by individual to an election agency qualifies for third-class postage rates;
- Provides that free postage and third-class postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955, the Overseas Citizens Voting Assistance Act of 1955 or the Overseas Citizens Voting Rignts Act of 1975;

H.R. 5564 10/12/79 Emery et al. House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends Federal Elections Campaign Act of 1971 providing that no person will make contributions exceeding $1,000 to a political committee advocating the election to federal office of any specific individual who is not a candidate for such office;

H.R. 5568 10/12/79 McDonald House Administration

FEDERAL ELECTION COMMISSION:
- Provides that Federal Election Commission be abolished, that all past decisions or regulations made by Commission will have no effect and that all functions, activities, powers and duties of Commission not be transferred to any other establishment of government;

H.R. 5824 11/7/79 Rose Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - PROHIBITS BROADCASTING OF HOUSE PROCEEDINGS:
- Amends the Communications Act of 1934 to prohibit transmission of any audio or visual broadcasting or recording of floor proceedings of the House of Represen-

tatives if such transmission is for the purpose of influencing the ourcome of any election for public office;

- Transmission prohibition does not apply if a broadcast is considered to be one of the following:
  1) Bona fide newscast
  2) Bona fide news interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including political conventions and activities incidental to such conventions)
- Criminal penalties are specified in the Act;

H.R. 6017	12/4/79	Downey	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:

- Amends the Communications Act of 1934 to provide that the requirements of sec. 315, which relates to equal broadcasting opportunities for political candidates, will not apply to candidates for the offices of President and Vice President;

H.R. 6103	12/11/79	Van Deerlin	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:

- Amends the Communications Act of 1934 to provide that the requirements relating to equal broadcasting opportunities for political candidates will not apply to candidates for the office of President or Vice President who use a broadcasting station without the payment of any charge;
- Provides that the license involved will not have editorial control over the material broadcast in connection with such an appearance except for the following types of programs:
  1) Bona fide newscast
  2) Bona fide interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including any debate between candidates for the office of President or Vice President)

H.R. 6187	12/19/79	Leach	Post Office and Civil Service

ADVERTISING AND SOLICITATION - THRID-CLASS MAILING:

- Repeals special bulk third-class mail rates for political committees;

H.R. 6325 1/29/80 Broomfield House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends the Federal Election Campaign Act of 1971 to exclude from the definition of the term "contributions" donations to a county committee of a political party for construction or purchase of certain office facilities;

H.R. 6345 1/30/80 Jacobs House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contributions;

H.R. 6473 2/11/80 Bereuter House Administration

"Campaign Contributions Utilization Reform Act of 1980"

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting excess campaign contributions to personal use or to defray any ordinary expenses incurred in connection with his or her duties as a holder of federal office;

H.R. 6510 2/13/80 Jenkins Ways and Means

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES:
- Amends the Social Security Act permitting a state to modify its coverage agreement so as to exclude services performed in any year by an election official or election worker if the remuneration paid for such services is less than $300 (instead of $100 as at present)

H.R. 6530 2/19/80 Harris House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contribution;

H.R. 6577 2/22/80 Jeffords Post Office, Civil Service and Judiciary

APPORTIONMENT - CENSUS:
- Requires the Secretary of Commerce, in each decennial census, to specify the number of aliens in each state and provides that illegal aliens will not be counted for purposes of the apportionment of Representatives in Congress;

H.R. 6634 2/27/80 Thompson House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends title 18, sec. 603, of the U.S.C., making it unlawful for any person in the employ of the Congress to make a political contribution of money to a Member of Congress if the Congressman serves as the employer or employing authority of such person;
- Prohibits any Congressman or his or her authorized committee to accept knowingly a political contribution of money from such employee;
- Provides that any person violating this section will be fined not more than $1,000 or imprisoned not more than one year, or both;

H.R. 6637 2/27/80 Dickinson House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:
- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions:
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

H.R. 6702 3/4/80 Thompson House Administration
ACTION: 3/6/80 - Reported from Com., H. Rept 96-816
3/10/80 - Passed House

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Provides that voluntary political contributions by federal employees are lawful except that it is unlawful for any person in the employ of the Congress to make a political contribution to a Member of Congress if the Congressman serves as the employer or employing authority of such person;

H.R. 6702 cont.

- Provides that any person violating this section will be fined not more than $5,000 or imprisoned not more than three years, or both;

H.J. Res. 37 1/15/79 Goldwater Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;
- Petition must be signed by 8% of whole number of state population in at least 26 states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Vote of 2/3 of members of each house of Congress can repeal, amend or reenact laws enacted under this amendment without presidential approval;
- Requires majority of votes in 3/4 of states before proposed laws are effective;

H.J. Res. 40 1/15/79 Guyer Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;
- Petition must be signed by 8% of whole number of state population in 3/4 of the states;
- Requires majority of votes in 3/4 of states before new laws or repealed proposals are effective;
- Valid petition proposals will be placed on first election ballot for President;
- No law adopted by the people will be subject to Presidential approval, amendment or repeal;
- Congress can act on measures passed by a vote of 3/4 of members of each house of Congress;
- No bill passed by Congress under this article requires Presidential approval;

H.J. Res. 81 1/15/79 Smith Judiciary

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES:
- Presidential candidates will be chosen by direct popular vote at a primary election to be held in July;
- Candidates must be seeking the nomination of the party of their registered affiliation, and in addition satisfy certain petition requirements; further, the political party must meet certain qualifications;

H.J. Res. 81 cont.

- Candidate winning 40% of the votes cast by voters of his own party shall win that party's nomination, but, if no candidate wins 40%, a run-off will be held;
- After Presidential candidates are elected, each party will choose a Vice Presidential candidate;

H.J. Res. 113	1/18/79	Lagomarsino	Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;
- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by 3% of electorate in at least ten states; the total number of signatures must total 3% of the nation's electorate;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years;

H.J. Res. 147	1/23/79	Sawyer	Judiciary

REFERENDUM - VOTER INITIATIVE:
- Identical to H.J. Res. 113;

H.J. Res. 190	2/5/79	Hansen	Judiciary

DISTRICT OF COLUMBIA - REPRESENTATION IN CONGRESS:
- Proposes amendment to Constitution providing that D.C. and territories of U.S. be treated as though they were states for purposes of representation in the House of Representatives;

H.J. Res. 196	2/8/79	Kemp et al.	Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;

H.J. 196 cont.

- Petitions to enact or repeal laws must be signed by 3% of electorate in at least 15 states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on election ballot held for members of the House of Representatives at least 120 days after petition signatures have been certified;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of 2/3 of members of House and Senate;

H.J. Res. 286 4/2/79 Jones et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Substantially the same as H.J. Res. 113 except that it does not specifically outline procedures for repealing laws;

H. Con. Res. 127 5/23/79 Heftel Judiciary

VOTING RIGHTS ACT - IMPROVE COMPLIANCE:
- Sense of Congress to improve performance of Department of Justice in aiding states to comply with Voting Rights Act provisions relating to "language minority" groups;

H. Con. Res. 283 2/22/80 Thompson House Administration
ACTION: 3/5/80 - Reported from Comm., H. Rept. 96-804

CANDIDATES - CAMPAIGN LAWS:
- Provides that an additional twenty thousand copies of the "Federal Election Campaign Laws Relating to the United States House of Representatives" be printed as a House document and distributed to the Committee on House Administration and to candidates for the House of Representatives;

H. Res. 115 2/13/79 Pritchard Rules

CAMPAIGN FINANCING - SOLICITATION:
- Amends House rules to prohibit members from using official congressional stationary to raise funds if such funds are used to affect governmental elections;

FEDERAL LEGISLATION

SENATE AND HOUSE JOINT RESOLUTIONS INTRODUCED IN THE 96TH CONGRESS DEALING WITH THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT

PRESENT METHOD OF ELECTION - ELECTORAL COLLEGE PLAN

The Constitution provides that the President and Vice President of the United States shall be elected by electors who are appointed in each state in a manner directed by the Legislature of the state. Each state must appoint a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress (Art. II, Sec. 1). In all states and the District of Columbia, the Presidential electors are elected directly by the people of the state. These electors then convene in their own states as "colleges," known collectively as the "Electoral College" to elect the President and the Vice President. Thus, under present constitutional provisions, the President and the Vice President are not elected by means of a direct popular election, but instead are elected by the Electoral College.

Under the practice followed in all states but one, the people of the state vote for a slate of Presidential electors drawn up by the political parties in that state. The slate of electors winning the majority or plurality of the popular vote in the state would then cast all of the electoral votes of the state in favor of one Presidential candidate. Thus, the winner of the greatest number of popular votes in a state in a Presidential race would be credited with all of that State's electoral votes, rather than only that portion of the electoral votes which reflects the percentage of the popular vote won. The one exception to this general practice is Maine, where an elector is chosen from each Congressional district on the basis of winning the popular vote in that district and two at-large electors are chosen on a statewide basis (Maine Revised Code Annotated, Title 21, § 1184 (1-A). This is the district plan, discussed below).

Under the Constitution, Congress has the responsibility for setting the date on which Presidential electors are elected, which date must be uniform throughout the United States, and the date on which they will meet to cast their votes for the President and the Vice President. If, when the votes are cast for President and Vice President, no person receives a majority of the entire number of electoral votes, the House of Representatives shall choose the President from the three persons having the highest number of electoral votes (Art. II, Sec. 1).

PROPOSED METHODS OF ELECTION

Most measures considered by Congress have proposed a constitutional amendment which would affect a basic reform in the method by which the President and Vice President are elected. These proposals fall into four categories set forth below.

DIRECT ELECTION PLAN

Under the direct election plan, the Electoral College and the electoral vote system would be abolished. Instead, the President and Vice President would be elected by direct popular vote cast throughout the United States. Several proposals now pending in Congress would create a system whereby the President and the Vice President would be elected directly. These proposals are:

S.J. Res. 1	Bayh et al.	1/15/79
S.J. Res. 28	Bayh	1/25/79
H.J. Res. 7	Danielson	1/15/79
H.J. Res. 24	Bennett	1/15/79
H.J. Res. 57	Kastenmeier	1/15/79
H.J. Res. 93	Won Pat	1/15/79
H.J. Res. 150	Conte	1/24/79
H.J. Res. 181	Erdahl	2/1/79
H.J. Res. 189	Edwards	2/5/79
H.J. Res. 208	Fithian	2/15/79
H.J. Res. 240	McClory	3/6/79
H.J. Res. 252	Boner	3/13/79
H.J. Res. 254	Burlison	3/13/79
H.J. Res. 261	Burlison et al.	3/20/79
H.J. Res. 288	Burlison et al.	4/3/79
H.J. Res. 299	Burlison et al.	4/10/79
H.J. Res. 308	Burlison et al.	4/30/79
H.J. Res. 332	Burlison et al.	5/16/79

These proposals calling for direct election of the President and Vice President vary in their approaches to the following matters:

1. Method of casting vote:
   Cast joint vote for team consisting of candidate for President and candidate for Vice President, both consenting to the joinder of their names -
   All proposals

2. Percentage of vote required to win:
   a. Plurality -
   H.J. Res. 181

   b. 35% -
   H.J. Res. 93, 240

   c. 40% -
   S.J. Res. 1, 28
   H.J. Res. 7, 24, 57, 150, 189, 208, 252, 254, 261, 288, 299, 308, 332

3. Required percentage not attained:
   a. Runoff election must be held -
   S.J. Res. 1, 28
   H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
   H.J. Res. 308, 332

- b. Congress decides in special election -
  H.J. Res. 24

4. Place, time, and manner of holding elections and entitlement to inclusion on ballot:
   - a. Prescribed by the State Legislatures, but Congress may alter the state laws or the state laws become inapplicable if in conflict with an Act of Congress; however, Congress sets the day for holding elections, which day must be uniform throughout the United States, and Congress governs the method for ascertaining election results -
     S.J. Res. 1, 28
     H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299, 308
     H.J. Res. 332
   - b. Prescribed by Congress -
     H.J. Res. 24

5. Voter qualifications:
   - a. Same as for most numerous branch of state legislature except that state may prescribe less restrictive qualifications and Congress may prescribe uniform residence qualifications -
     S.J. Res. 1, 28
     H.J. Res. 7, 57, 93, 189, 208, 240, 252, 254, 261, 288, 299, 308, 332
   - b. Same as in the case of voters in election of Senators, but state may prescribe less restrictive residence qualifications, and Congress may adopt uniform age and residence requirements -
     H.J. Res. 24
   - c. Same as for electors of Members of Congress, but state may prescribe less restrictive residence qualifications and Congress may adopt uniform age and residence requirements -
     H.J. Res. 150

6. Congress may provide for case of death, resignation, inability or withdrawal of a candidate:
   S.J. Res. 1, 28
   H.J. Res. 7, 24, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
   H.J. Res. 308, 332

PROPORTIONAL PLAN

Under the proportional plan, the electoral college would be abolished, but the electoral vote would be retained. The electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received, thereby eliminating the present winner-take-all system.

S.J. Res. 51	Cannon et al.	3/22/79
H.J. Res. 88	Vander Jagt	1/15/79
H.J. Res. 125	Ashbrook	1/22/79

1. Percentage of vote required to win:
   a. Majority -
      H.J. Res. 88, 125

   b. 40% -
      S.J. Res.51

2. Required percentage not attained:
   House of Representatives chooses -
   H.J. Res. 88 (Senate chooses Vice President), 125
   Senate and House in joint session chooses -
   S.J. Res. 51

3. Voter qualifications:
   Same qualifications requisite for the electors of the most numerous branch of the state legislature -
   S.J. Res. 51
   H.J. Res. 125

4. Place, time, manner of holding election in states:
   Congress will determine the day of the election, which must be uniform throughout the United States, but state legislatures determine the place and manner -
   H.J. Res. 88 (Congress determines time for electing only), 125
   S.J. Res. 51

DISTRICT PLAN

Under the district plan, the electoral college would be preserved, with each state choosing a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress. However, in all states, the electors would be chosen by the voters from districts created within the state, and, in addition, two at-large electors would be chosen on a statewide basis. The winner-take-all aspects of the present system would thus be eliminated because a candidate would be credited with only those district electoral votes that he actually won. Further, in contrast to the present method, the candidates for the office of Presidential elector would be required to declare for whom they will cast their votes for President and such declaration will be binding.

H.J. Res. 106	(Fuqua, 1/18/79)
H.J. Res. 207	(Conable, 2/19/79)

1. Percentage of electoral vote required to win: Majority
   Majority -
   H.J. Res. 106, 207

2. Tie vote in electoral college: Person with the greatest number of electoral district votes, rather than at-large electoral votes should win.
    H.J. Res. 207

3. Required percentage not attained: Senate and House of Representatives choose President and Vice President from persons with three highest number of votes.
    H.J. Res. 207

4. Required majority not attained: Senate and House of Representatives choose President and Vice President from the pairs of candidates not exceeding three having the highest number of electoral votes.
    H.J. Res. 106

5. Voter qualifications: Same qualifications requisite for the electors of the most numerous branch of the state legislature.
    H.J. Res. 106
    H.J. Res. 207

6. Manner of holding elections in states:
    a. Congress will determine -
    H.J. Res. 207

    b. States will determine subject to alterations by Congress -
    H.J. Res. 106

AUTOMATIC ELECTORAL VOTE PLAN

Under this plan, the Electoral College would be abolished but the electoral votes of each state would be retained. According to this method, the electoral vote of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state. Thus, as in the present system, the winner of the greatest portion of the popular vote would be credited with all of the electoral votes of the state. The proposal also provides for an automatic electoral vote plan but with an additional national pool of electoral votes equivalent to the number of senators plus an additional two for the District of Columbia, to be automatically allocated to the candidate receiving the most popular votes across the nation. S.J. Res. 48 (Bayh, 3/14/79), H.J. Res. 223 (Bingham, 2/26/79).

FEDERAL LEGISLATION

TERMS OF OFFICE FOR PRESIDENT, VICE PRESIDENT, SENATE AND HOUSE

Several Senate and House Joint Resolutions have been introduced in the 96th Congress which deal with the terms of office and number of terms allowed for the President, Vice President, Senate and House. Present terms for the President and Vice President are 4 years; Senate -- 6 years (1/3 of Senators elected every 2 years); and House -- 2 years. The new proposals are:

S.J. Res. 25	Danforth et al.	1/24/79
S.J. Res. 27	De Concini et al.	1/24/79
S.J. Res. 34	Johnston	2/6/79
S.J. Res. 103	Thurmond	9/10/79
H.J. Res. 50	Hillis	1/15/79
H.J. Res. 158	Ichord	1/24/79
H.J. Res. 160	Quayle	1/24/79
H.J. Res. 168	Frenzel	1/29/79
H.J. Res. 169	Frenzel	1/29/79
H.J. Res. 170	Glickman et al.	1/29/79
H.J. Res. 179	Shumway et al.	1/31/79
H.J. Res. 182	Erdahl	2/1/79
H.J. Res. 186	Schulze	2/1/79
H.J. Res. 272	Emery	3/21/79
H.J. Res. 315	Jacobs	5/1/79
H.J. Res. 334	Clinger	5/16/79
H.J. Res. 368	Paul	6/27/79
H.J. Res. 377	Quayle	7/11/79
H.J. Res. 401	Duncan	9/14/79
H.J. Res. 419	Collins	10/12/79

Since one bill may relate to several of the following categories, it may be listed more than once.

PRESIDENT AND VICE PRESIDENT

6 year term	1 term limit
S.J. Res. 103	S.J. Res. 103
H.J. Res. 50	H.J. Res. 158
H.J. Res. 158	H.J. Res. 168
H.J. Res. 160	H.J. Res. 182
H.J. Res. 168	H.J. Res. 186
H.J. Res. 182	H.J. Res. 401
H.J. Res. 186	H.J. Res. 419
H.J. Res. 377	
H.J. Res. 401	**2 term limit**
H.J. Res. 419	H.J. Res. 50

9 year total service limit
H.J. Res. 160
H.J. Res. 377 (taking into account the possibility of three appointed years and one elected term)

SENATE

4 year term
H.J. Res. 368

1 term limit
H.J. Res. 419

2 term limit
S.J. Res. 25
H.J. Res. 27
H.J. Res. 182
H.J. Res. 334
H.J. Res. 368

3 term limit
H.J. Res. 169
H.J. Res. 186

15 consecutive years limit
H.J. Res. 160

H.J. Res. 315 would not allow more than 12 years service during any 14-year period

HOUSE

2 year term
S.J. Res. 25
S.J. Res. 27
S.J. Res. 169

3 year term
H.J. Res. 50*
H.J. Res. 186

4 year term
S.J. Res. 34
S.J. Res. 170
H.J. Res. 179
H.J. Res. 182
H.J. Res. 272
H.J. Res. 334

1 term limit
H.J. Res. 419

3 term limit
H.J. Res. 170
H.J. Res. 179
H.J. Res. 182

4 term limit
H.J. Res. 368

5 term limit
H.J. Res. 186

6 term limit
S.J. Res. 25

* H.J. Res. 50 proposed 12 years of aggregated service time in the Senate or House or 18 years of combined Senate and House service.

6 year term
H.J. Res. 419

7 term limit
S.J. Res. 27

9 term limit
H.J. Res. 169

H.J. Res. 160 would limit the total number of years of service in the House to 13 years.
H.J. Res. 315 would not allow more than 10 years of service during any 12-year period.
H.J. Res. 334 would not allow more than 10 years of total service time.

APPENDIX: 1979 SESSION LAWS

CALIFORNIA

SB 1138, Approved 9/26/79

Allows the placement of temporary political signs in areas which are protected from advertising displays under the outdoor advertising act, unless a federal agency determines that the placement of such signs would violate federal regulations.

Specifies that no political signs may be placed within 660 feet of and visible from the right-of-way of a landscaped freeway or within the right-of-way of a highway.

COLORADO

SB 158, Approved 5/30/79

Specifies that if there are not more candidates, including candidates filing affidavits of intent, for director of special districts than offices to be filled at the election, such fact shall be certified to the board. After holding a meeting, the board may cancel the election and declare the candidates elected by resolution. Notice of the cancellation shall be published, if possible, and posted at each polling place and at least one other public place.

HB 1033, Approved 4/25/79

Requires that a plan be developed and submitted to the general assembly by the judicial department no later than January 1, 1980, that will deal with criminal court decisions and other relevant material in order to inform the electorate on the performance of a judge.

ILLINOIS

SB 563, Act 81-1149, Approved 11/26/79

States that the polls shall be open from 6:00 a.m. to 7:00 p.m. (formerly 6:00 p.m.).

HB 1914, Act 81-1117, Certified 11/21/79

Requires reports of campaign contributions to be filed no later than fifteen days before a primary, as for other elections. However, no report need be filed ninety days after a primary, although such a post-election report is required for other elections.

Authorizes an elector to vote by absentee ballot if he is unable to be at the polls on election day because of election duties for the office of an election authority, the state board of elections, or a law enforcement agency.

Permits an election authority to adopt a standard application blank for an absent voter's ballot in lieu of separate applications prescribed for absence due to various reasons (e.g., observance of religious holiday, physical incapacity). Specifies the format for the standard application blank. Also specifies the printed certification to be used on the absentee ballot envelope if the election authority adopts the standard absentee ballot application blank.

HB 2228, Act 81-1189, Certified 11/29/79

Directs the state board of elections and each county clerk to provide to each candidate at the time he files his nomination papers a notice of obligations under art. 9 of the Illinois Election Code (relating to disclosure of campaign contributions and expenditures), a manual of instructions, and a supply of forms for the statements to be filed. Specifies that if a candidate files his nomination papers by mail or if an agent of the candidate files the nomination papers for the candidate, the board or county clerk is to send to the candidate the required materials within two business days. Additionally, at least thirty days before each filing date for reports of campaign contributions and for annual reports of contributions and expenditures, the board or the county clerk is to send to each political committee that has filed a statement of organization a notice of obligations under art. 9 and appropriate forms.

HB 2540, Act 81-1195, Certified 11/29/79

Deletes the requirement that the cards of instruction furnished to judges of election by the election authorities include copies of certain provisions of the Illinois Election Code.

HB 2799, Act 81-1211, Approved 12/5/79

Changes the name of the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act to the Nursing Home Care Reform Act of 1979.

Provides that when physically incapacitated electors in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 make voting application to the election authority not later than five days before the election, their ballots will be delivered by a judge of election on the day prior to the election. The election authority is required to notify the applicants, by mail, of this service. Methods for selecting judges of election are outlined.

Provides that voting in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 will be conducted during any continuous period sufficient to allow all applicants to cast their ballots, and at a time convenient to the election authority and the chief administrative officer of each facility. Public announcement of these arrangements must be made for the benefit of prospective poll watchers.

Requires that the department of public health must certify to the state board of elections within a certain specified time, a list of facilities licensed pursuant to the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act or the Nursing Home Care Reform Act of 1979. These lists must indicate the approved bed capacity and the name of the chief administrative officer of the facility. The state board of elections must certify the same information to the appropriate election authority within twenty days.

HB 2813, Act 81-1215, Approved 12/5/79

Allows political committees to request copies of registration information recorded on electronic data processing equipment, at a reasonable cost, from the board of election commissioners.

Specifies that such information is to be used only for bona fide political purposes, and forbids its use for commercial solicitation or business purposes.

Requires a candidate for delegate or alternate delegate to a national nominating convention to file a statement delaring his presidential preference or uncommitted status with the state board of elections at the time of filing his statement of candidacy, and requires that such preference or uncommitted status appear next to his name on the primary ballot.

KANSAS

SB 384, Approved 4/12/79

Allows the county election officer to mark the outside of a ballot for voting on a question or constitutional amendment with an identifying number, in order to distinguish it from other ballots on questions or constitutional amendments when more than one is submitted to the voters.

Changes the ballot instructions to electors voting in primary and general school elections and primary and general city elections. Requires that when voters are allowed to vote for the same number of candidates as the number of positions to be filled, they be informed that they may vote for fewer candidates if they so wish.

MASSACHUSETTS

HB 6754, Approved 10/16/79

Authorizes a city or town clerk to designate either a central tabulation center for the counting of paper ballots and punched cards, or to declare all polling places as tabulation centers (formerly, the clerk was required to choose one central tabulating center) and designates the clerk as the presiding officer at a central taublating center.

Allows the appointment of as many tabulating center inspectors as deemed necessary by the city or town clerk (formerly, no fewer than six were required to be appointed).

MICHIGAN

HB 4662, Act 151, Approved 11/27/79

Deletes the requirement that physically disabled voters attest by oath to their inability to vote unassisted.

Requires two election inspectors to assist a voter if he states that he cannot mark the ballot. Allows a blind voter to designate a family member or another person over eighteen years of age to assist him in marking his ballot.

NEBRASKA

LB 329, Approved 5/23/79

States that members of the city council must represent all areas and all socio-economic segments of the population of cities of the metropolitan class.

Provides that terms of office for council members shall be four (formerly three) years.

Specifies that the election commissioner shall divide a city of the metropolitan class into seven districts of contiguous territory. The districts shall be numbered consecutively from one to seven and one council member shall be elected from each district.

States that at the general city election held in 1981 the council members elected from even-numbered districts shall be elected for two-year terms and the members of the odd-numbered districts shall be elected for four-year terms. However, each of their successors shall be elected for four-year terms.

Requires that a candidate for council member be a qualified voter and a resident in the city or district or any area to be annexed by the city for one year.

NEBRASKA CONT'D

Changes the form for the statement of candidacy.

States that the primary election ballot shall include the number of the city council district, the name of the city as well as the number of city council members to be elected.

Specifies that the two candidates receiving the highest number of votes in each city council district at the primary shall be the only candidates whose names are placed on the official ballot for council members in each council district at the regular or general city election.

Stipulates that vacancies in the council shall be filled from the district in which the vacancy occurred. Salaries of the mayor and members of council shall be determined by local law.

OHIO

HB 141, Approved 12/14/79

Limits to two the number of judges and clerks that a board of elections may allow to officiate at certain special and municipal primary elections, providing that such officials be equally divided between the two major political parties at primary elections.

Allows the board of elections to appoint precinct officials, designated as receiving and counting officers, at each general or primary election. The board may determine the number of officials to be appointed, provided that the maximum number does not exceed four judges and two clerks, and that the maximum number be appointed only if necessary.

Permits the board to assign work shifts, and states that a receiving officer may perform the duties of either receiving or counting official, or both, if assigned to work a second shift.

PENNSYLVANIA

HB 1261, Act 124, Approved 12/13/79

Waives the late filing fees for certain reports of contributions and expenditures not filed within the prescribed periods in connection with various primary, special and municipal elections held during 1979.

1979 SESSION LAWS CONT'D

TENNESSEE

SB 522, Chapter 274, Approved 5/9/79

Requires that the county election commission appoint certain election officials not more than thirty days (formerly twenty days) before each election.

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INTRODUCTION BY THE NATIONAL CLEARINGHOUSE ON ELECTION ADMINISTRATION

Election Law Updates is a quarterly series designed to report and summarize all new State and Federal election legislation. The series is cumulative throughout the calendar year such that each quarterly edition contains the information of previous quarters culminating in the fourth quarter's Annual Cumulative Summary.

It is important to note that these updates summarize only recent changes in election laws and do not summarize the entire body of election law in each State. Summaries of each State's election code are available from the Clearinghouse only on certain specific topics (Campaign Financing, Ballot Access, Contested Elections and Recounts, Election Administration, and the like). Otherwise, readers are encouraged to review State election codes and to use these updates only to identify any changes since the publication date of the original code. By the same token, readers needing to make legal decisions on the basis of any new legislation are advised to obtain copies of that legislation rather than rely on the summary information contained herein. Finally, many readers, and especially legislators, interested in specific topics will benefit from the topical index in the back of the volume.

The **Election Law Updates** series is available on a subscription basis from the Government Printing Office as is the companion series **Election Case Law** which summarizes judicial cases in the same quarterly, cumulative manner. You may order these subscriptions by letter from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Identify either **Election Law Updates (ELU)** at $11.00 or **Election Case Law (ECL)** at $10.00 or both. Enclose check or money order for subscription price(s) payable to Superintendent of Documents.

Errors or omissions in these Updates may be reported to: Mr. Tom Durbin, Law Survey Manager, American Law Division, Library of Congress, West Main 204, Washington, D.C. 20540, telephone (202) 287-6006.

FEDERAL - STATE ELECTION LAW UPDATES:
AN ANALYSIS OF STATE AND FEDERAL LEGISLATION

PREPARED FOR

FEDERAL ELECTION COMMISSION

BY

AMERICAN LAW DIVISION OF THE CONGRESSIONAL RESEARCH SERVICE
LIBRARY OF CONGRESS

JANUARY THROUGH JUNE 1980

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FOREWORD

The Federal-State Election Law Updates is a project sponsored by the Federal Election Commission and produced by the American Law Division of the Congressional Research Service of the Library of Congress. The Federal-State Election Law Updates analyzes both federal and state major election legislation. A quarterly cumulative publication will be issued in the months of April, July, October, and January. The January issue will be the final cumulative edition of the year.

The principal purpose of the Federal-State Election Law Updates is to furnish in the form of a brief analysis the essential provisions of State election laws. In regard to federal legislation, the Election Law Updates will provide a brief summary of pending public bills and resolutions dealing with election laws and include more detailed analyses of those bills that have had action. It is hoped that this publication will give readers sufficient information concerning what other states and the federal government are doing in the election area.

The editors rely on the accuracy, the promptness, and the completeness of the State Legislative Reporting Service of Commerce Clearing House for copies of all State election laws. Unavoidably, there will be a time lapse between the enactment of some laws and their publication in the Election Law Updates. Such laws will appear in a later issue. The final cumulative issue of the year includes laws received through December 1st of that year. Laws received after that date will appear in the appendix of the first issue of the following year. Summaries of these laws are not intended to be exhaustive. The statutory text should be consulted before acting on the basis of any such enactment. Should more information be desired by the reader on any section, it might be necessary to contact the State legislature or congressional office to get a complete version of the law or bill. The object of this publication is to give as much detail as time and space permit.

Each issue of the Federal-State Election Law Updates encompasses the following sections:

Section I. State Session Laws -- This section contains summaries of significant election laws recently enacted by the states. Under each state heading, the Senate bills and resolutions that have become laws are listed first, followed by the House bills and resolutions; the bills and resolutions are listed in numerical order. After each bill number, there are listed a chapter number -- if given -- and the date on which the bill was approved and enacted into law. Laws relating to campaign finance are not included here, but are grouped together in Section II. Whenever a campaign finance law of a state appears in Section II, a cross-reference to that law is included with the summaries of that state's laws in Section I.

Section II. State Campaign Finance Session Laws -- This section summarizies the significant laws on the subject of campaign finance that have recently been passed by the states. These laws are grouped together separately from other state election laws because of the special interest in this area of many readers. The format is the same as in section I.

Section III. Federal Legislation -This section is devoted to an analysis of federal legislation introduced in Congress and of any action which Congress has taken on such legislation. The bills and resolutions are listed serially and briefly summarized. The major sponsor and the date of introdution follow, along with the committee to which the measure is referred and any further action taken on it.

Appendix. Summaries of state election laws (including campaign finance laws) enacted during 1979 and received by the editors too late to be included in the final cumulative issue of Election Law Updates for 1979 appear in the Appendix.

Index. All bills and laws are indexed.

Preparation of the Federal-State Election Law Updates is the responsibility of the American Law Division of the Congressional Research Service, Library of Congress, under contract with the Federal Election Commission and under the supervision of Gary L. Greenhalgh, Director of the Clearing House on Election Administration. Thomas M. Durbin, Jay R. Shampansky and Michael V. Seitzinger are the Editors. M. Ann Wolfe is the Managing Editor, La Vonne M. Grabiak is the Assistant Editor. Gilbert Gude, Director of the Congressional Research Service, Joseph E. Ross, Chief of the American Law Division, and Daniel Hill Zafren, Assistant Chief, serve as Supervising Editors.

TABLE OF ABBREVIATIONS

AB -------------------------------- Assembly Bill (State)

ACA -------------------------------- Assembly Constitutional Amendment (State)

ACR -------------------------------- Assembly Concurrent Resolution

AI -------------------------------- Assembly Initiative

AR -------------------------------- Assembly Resolution

CACR -------------------------------- Concurrent Resolution Proposing Constitutional Amendment (State)

FEC -------------------------------- Federal Election Commission

HB -------------------------------- House Bill (State)

HCR -------------------------------- House Concurrent Resolution (State)

H. Con. Res. -------------------------------- House Concurrent Resolution (Federal)

HF -------------------------------- House File (State)

HJR -------------------------------- House Joint Resolution (State)

H.J. Res. -------------------------------- House Joint Resolution (Federal)

H. Rept. -------------------------------- House Rept. (Federal)

HR -------------------------------- House Resolution (State)

H.R. -------------------------------- House of Representatives Bill (Federal)

H. Res. -------------------------------- House Resolution (Federal)

JRS -------------------------------- Joint Resolution/Senate (State)

LB -------------------------------- Legislative Bill (State)

S. -------------------------------- Senate Bill (Federal)

SB -------------------------------- Senate Bill (State)

SF -------------------------------- Senate File (State)

SCR -------------------------------- Senate Concurrent Resolution (State)

TABLE OF ABBREVIATIONS CONT'D

S. Con. Res. ---------------------- Senate Concurrent Resolution (Federal)

SI --------------------------------- Senate Initiative (State)

SJR -------------------------------- Senate Joint Resolution (State)

S.J. Res. -------------------------- Senate Joint Resolution (Federal)

S. Mem. ---------------------------- Senate Memorial (State)

S. Rept. --------------------------- Senate Report (Federal)

SR --------------------------------- Senate Resolution (State)

S. Res. ---------------------------- Senate Resolution (Federal)

Subcom. ---------------------------- Subcommittee

U.S.C. ----------------------------- United States Code

HIGHLIGHTS OF MAJOR ELECTION LEGISLATION

STATE LEGISLATION

Bill Number	Title or Description	Approved	Act/Chap. No.
Hawaii HB 1671	Campaign Financing and Reporting Requirements	6/21/79	Act 224
Montana SB 65	Election Law Revision	4/12/79	
New Hampshire HB 575	Campaign Financing and Candidates	6/25/79	Chapter 436
New Mexico SB 56	Campaign Financing and Reporting Requirements	4/6/79	Chapter 360
North Dakota HB 1138	Campaign Financing, Initiative, Referendum and Recall Elections	Passed Over Veto 3/28/79	

SECTION I - STATE SESSION LAWS

ALABAMA

SB 86, Act 93, Approved 3/20/80

Changes the day for holding regular elections in cities and towns from the third Tuesday in August to the second Tuesday in July. Changes the day a second or runoff election will be held from the first Tuesday in September to the third Tuesday following the regular election.

Changes the day that a statement of candidacy and certified affidavit must be filed for municipal elections from the third Tuesday in June to the first Tuesday in June.

Changes the day the required certified lists of qualified voters must be filed with the municipal clerk from the second Tuesday in May to the first Tuesday in June. Requires that the clerk then post this list in three public places in the municipality before the second Tuesday in June.

Changes the length of time in which the envelope containing the voting statement and the sealed ballot box must be delivered to the municipal clerk from not later than twenty-four hours after the polls have closed to not later than 11:00 a.m. on the next day after the polls have closed.

Changes the day when the returns of the election must be canvassed from not later than noon on Thursday following the election to not later than noon on Wednesday following the election.

Provides that if no candidate receives a majority of all the votes cast in an election, a second or runoff election must be held not later than the third Tuesday following the regular election.

SB 87, Act 94, Approved 3/20/80

Provides that the regular municipal elections in cities and towns must be held on the second Tuesday in July, 1980, and quadrennially thereafter.

Changes the day when a second or runoff election must be held from the first Tuesday after the second Monday in September to the third Tuesday following the regular election.

Changes the day when the notice of a regular election must be published from no earlier than the second Tuesday and no later than the third Tuesday in June to no earlier than the second Tuesday and no later than the third Tuesday in May.

Provides that when two or more municipal offices of the same name are to be filled at the regular election, the municipal body is required to designate each of these offices by number prior to the first day of March.

Changes the day the statement of candidacy and certified statement of qualification must be filed from 5:00 p.m. on the first Tuesday in July to 5:00 p.m. on the first Tuesday in June.

Changes the day the voter qualification list must be filed with the municipal clerk from the first Tuesday in July to the first Tuesday in June. Changes the day the clerk is required to publish this list from on or before the second Tuesday in July to on or before the second Tuesday in June.

Changes the day the statement of the votes envelope and the sealed ballot box must be delivered to the municipal clerk from not later than twenty-four hours after the polls have closed to not later than 11:00 a.m. of the day after the polls have closed.

Changes the day the municipal governing body is required to canvass the returns received from the several elections officers from not later than noon on the Thursday after the election to not later than noon on the Wednesday after the election.

Changes the day the municipal governing body must order a second or runoff election to be held in the event that no candidate receives a majority of all the votes cast from the first Tuesday after the second Monday of September to the third Tuesday following the regular election.

HB 663, Chapter 243, Approved 4/18/80

Provides that any class 3 municipalities having a mayor-council form of government and having a general municipal election or run-off election required by general or local act at times different from the dates provided by art. 2, chap. 46, of t. 11, Code of Alabama, may elect by ordinance to have elections held at the time required by art. 2.

HJR 10, Act 80-5, Approved 2/21/80

Provides that an election upon the constitutional amendments proposed by the 1979 regular session of the legislature is to be held on March 11, 1980, the date of the presidential primary election.

ALASKA

HR 28, Chapter 20, Approved 4/10/80

Provides that candidates for state offices and national legislative offices will be nominated in a primary election by direct vote of the people in the manner prescribed by sec. 15.25.010 - 15.25.200 of the Alaska Statutes.

Adds a section to the election code governing presidential party primary elections providing that the lieutenant governor will call such an election on the third Tuesday in April of a presidential election year or a different date if proclaimed by September 1 of the year preceding the presidential election; if a different date is assigned to the primary, the dates that petitions are filed and that candidates must be notified are adjusted.

Provides that generally recognized candidates for the nomination for President will be placed on the ballot. Specifies that the lieutenant governor is to announce names of candidates for the ballot on the last Tuesday in January. Provides that the lieutenant governor must notify each candidate that the candidate's name will appear on the ballot in this state and give the candidate instructions on how his or her name may be withdrawn.

Provides that supporters of a candidate for nomination for President may file a petition to have the name of the candidate of their choice on the ballot. Specifies that such petitions must be filed by the last Tuesday in February and must contain the signatures of qualified voters residing in no less than two-thirds of the election districts of the state equal in number to five percent of the number of votes cast for the candidates for governor in the preceding election for governor.

Provides that the petition for presidential candidate must include the following: a) the full name of the candidate; b) the name of the political group supporting the candidate; c) the name of the political party in which the candidate is registered; d) a statement that the subscribers are qualified voters of the state; and e) a statement that the subscribers request that the candidate's name be placed on the ballot. Provides that the signature sheets must also contain the printed name and residence address of each qualified voter whose signature appears on the petition.

Provides that political parties in the state must select delegates to their national conventions according to the party's plan of organization. Specifies what proportion of delegate votes each candidate will receive based on the proportion of votes cast for that candidate in the primary.

Provides that a delegate's vote must be cast for the candidate to whom that delegate is pledged until that candidate is nominated by the convention, releases the delegates from the pledge, or until two convention nominating ballots have been taken.

Provides that no other state election may be scheduled on the date scheduled for the presidential party primary election.

CALIFORNIA

AB 870, Chapter 26, Approved 3/5/80

Provides that if an incumbent of a judicial office fails to file his or her nomination papers by the last day prescribed for filing, an additional five days must be allowed for filing for the office even if he or she has not filed a written and signed declaration of intention to become a candidate for the office.

COLORADO

SB 1, Approved 3/17/80

Rewrites art. 13 of the Colorado election code, relating to offenses in elections. Combines and makes uniform existing provisions in art. 13 and art. 30, and repeals the existing art. 30. Provides that the act takes effect January 1, 1981. (According to the office of the Colorado Legislative Council, this measure is a reenactment and does not make substantive changes in the law.)

SB 12, Approved 2/21/80

Recodifies (effective January 1, 1981) the provisions of the election code relating to general, primary, and congressional vacancy elections. Revises and rearranges existing law into a more logical sequence. (According to the office of the Colorado Legislative Council, this measure does not make substantive changes in the law.)

HB 1021, Approved 3/25/80

Authorizes branch registration offices to be open at any time after forty-five days following any general election. Provides that the hours for branch offices are to be set by the county clerk and recorder, except that a branch office open each day on and after the sixty-third day until and including the thirty-second day preceding each primary and on and after the day after the primary until and including the thirty-second day before each general election is to be open a minimum of two hours per day in a county with a population of less than 50,000 and a muninum of four hours per day in a county with a population of 50,000 or more. Specifies that the act is effective January 1, 1981.

HB 1024, Approved 3/25/80

Provides that the changes in the boundaries of precincts or the creation of new precincts is to be completed at least thirty-two days (formerly, five months) prior to the precinct caucus day (formerly, the day of the general election), except in cases of precinct changes resulting from changes in county boundaries. States that when a board of county commissioners determines to change the boundaries of commissioner districts or when new districts are created, such changes or additions are to be completed not less than thirty-two days prior to the precinct caucus day, except in cases of changes resulting from changes in county boundaries. Prohibits the alteration of the boundaries of director districts more often than twice every four years. Provides that this act takes effect January 1, 1981.

DELAWARE

HB 678, Approved 2/5/80

Changes the language of several provisions of the state code relating to school district elections so that the prescribed wording on the ballot (eg., "for additional tax" and "against additional tax") applies to both paper ballots and voting machines. Whereas the law previously specified the wording for paper ballots, it failed to extend the provisions to the use of voting machines.

GEORGIA

SB 433, Act 1090, Approved 3/24/80

Provides that each principal of every public or private high school or his designee and the director of each area vocational school or his designee shall be a deputy registrar for the purpose of registering qualified applicants enrolled in or employed by the school. The powers of the deputy registrar should be explained and procedures set up to enable students who are qualified applicants to register.

Specifies that electors disqualified to vote because they have not voted in the preceding three years in at least one general, special or primary election shall be given notice within ten days of the purge by first class mail and shall be given twenty days from the removal date to request in writing a continuance of their registration.

Provides that if there is no opposing candidate then no name shall appear on the general or special election ballot unless a write-in candidate has otherwise qualified. Provides also that no election shall be conducted in an election district in which there are no opposed candidates, no eligible write-in candidates and no issues to be submitted to the electorate. And if no election is to be held, the municipality shall provide notice to inform the affected electorate that no election is to be conducted. The superintendent shall then certify the unopposed candidate.

States that if there are two or more candidates with the same or similar names for the same nomination or office, the official with whom the candidates qualified shall determine whether the names of the candidates are of such similar nature as to warrant printing the residences of all candidates for such nomination or office on the ballot.

SB 606, Act 1210, Approved 3/26/80

Changes the population brackets for counties where a board of registration and election must be established from not less than 200,000 and not nore than 600,000 to not less than 350,000 and not more than 600,000.

HB 51, Act 890, Approved 3/20/80

States that when the titles of offices are arranged horizontally on voting machines, the names of all candidates for the same offices shall be within the the same vertical lines.

HB 1030, Act 676, Approved 2/1/80

Creates in each county in the state having a population of between 11,340 and 11,390 a board of elections. Provides rules governing the appointment of the three members of the board of elections in each such county.

GEORGIA CONT'D

Specifies that no person who holds an elective public office or who qualifies as a candidate for an elective public office is eligible to serve as a member of the board of elections.

Requires the governing authority of the county to certify the appointment of each member of the board with the clerk of the superior court at least fifteen days prior to the date the member is to take office. The certification shall be made by the clerk to the secretary of state within the same time and in the same manner as for registrars.

States that if a vacancy occurs, by removal, death, resignation or otherwise, in the office of any appointed member before his term expires a successor shall be appointed by the original appointing body. Certification shall be made in the same manner as the regular appointment of members.

Requires that each member of the board of elections take the oath as required for registrars before entering his duties.

Specifies that the board shall be responsible for the selection, appointment and training of poll workers in elections. The selection of workers shall be made from lists provided by the county executive committee of each political party.

Relieves the judge of the probate court from all powers and duties to which the board of elections succeeds.

Provides that the chairman of the board of elections shall supervise, direct and control the administration of the board of elections.

HB 1092, Act 674, Approved 1/31/80

Provides that the secretary of state and the selection committee when preparing and publishing the list of names of potential presidential candidates for inclusion on the primary ballots are not to include the name of any potential presidential candidate who, if elected to the office, would be ineligible under the Constitution and laws of the United States to serve in that capacity.

HB 1144, Act 980, Approved 3/20/80

Provides, among other already included instances, that whenever any person elected to public office fails validly to take that office, the authority with whom the candidates for such nomination or office filed their notice of candidacy must call a special primary or election to fill such position.

HB 1249, Act 995, Approved 3/20/80

See Section II for a summary of this law.

GEORGIA CONT'D

HB 1407, Act 722, Approved 3/5/80

Requires that every candidate for federal and state office, except for the office of justice of the peace, certified by the state executive committee or filing a notice of candidacy shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the secretary of state may challenge the qualifications of any candidate. Within two days after the deadline for qualifying, any eligible voter may challenge the qualifications of any candidate by filing a written complaint with the secretary of state giving the reasons why he believes the candidate is not qualified. The candidate shall be notified in writing that his qualifications are being challenged and of the reasons for the challenge and the candidate shall be informed of the date, time and place of the hearing. The secretary shall then determine if the candidate is qualified to seek and hold office. If it is determined the candidate is not qualified, his name shall be withheld or stricken from the ballot.

Provides that the candidate or elector may appeal the decision of the secretary of state by filing a petition in the superior court having proper jurisdiction.

Requires that every candidate for county office and office of justice of the peace filing a notice of candidacy or certified by the county executive committee of a political party shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the superintendent may challenge the qualifications of any candidate. Within two days after the deadline for qualifying, any eligible voter may challenge the qualifications of any candidate by filing a written complaint with the superintendent giving the reasons why he believes the candidate is not qualified. The candidate shall then be notified in writing that his qualifications are being challenged and of the reasons for the challenge and he shall be informed of the date, time and place of the hearing. The superintendent shall then determine if the candidate is qualified to seek and hold office. If it is determined that the candidate is not qualified, his name shall be withheld or stricken from the ballot.

Provides that the candidate or elector may appeal the decision of the superintendent by filing a petition in the superior court having proper jurisdiction.

IDAHO

HB 377, Chapter 271, Approved 3/31/80

States that each county clerk may appoint one or more registrars at-large for the county in addition to the appointment of the registrar for each precinct.

HB 382, Approved 3/28/80

See Section II for a summary of this law.

HB 660, Chapter 236, Approved 3/28/80

Provides that state conventions of political parties shall be held during the final two weeks of the month of June of each election year.

SJR 112, Adopted 3/3/80

Proposes an amendment to the constitution of the state of Idaho which, if adopted, would delete the requirement that an initiative be approved by a majority of the votes cast for governor and to allow an initiative measure to be placed on the ballot at any general election.

INDIANA

SB 14, Approved 3/3/80

Provides that the state and county election board shall include on the ballot the names of candidates nominated by the conventions of any party that cast one half of one percent before January 1, 1983, or two percent after December 31, 1982, of the total vote cast at the last preceding general election.

Provides that the state and county election board shall include on the ballot the names of candidates for the following offices when petitioned by a number of voters equal to one half of one percent before January 1, 1983, or two percent after December 31, 1982, of the total vote cast in the relevant governmental unit, for the secretary of state in the last general election: 1) state officer; 2) representative in Congress; 3) county officer, member of the general assembly, circuit judge, prosecuting attorney; and 4) officer of a township, ward, or division less than a county.

Specifies when and with whom nomination petitions must be filed so that a candidate's name may be included on the ballot.

Outlines the procedures when filling vacancies in office. Provides that only those members of the respective central committee entitled to vote at a primary, general, city or town election for the office to be filled will be eligible to participate in the filling of candidate vacancies. If no member of the committee is eligible to participate in the filling of a town vacancy, the chairman must appoint a registered voter of the town who will appoint a person to fill the vacancy. No one may be selected to fill a vacancy unless his or her written consent is obtained and duly filed in the appropriate office. If a vacancy exists because a tie vote occurred for an office in a primary election, the committee responsible for filling the vacancy must select one of the candidates for that office who was on the ballot of the party filling the vacancy. Describes in detail how a vacancy is to be filled in a town where a candidate vacancy occurs due to the withdrawal of a candidate who had been placed on the ballot through petition.

Provides that a qualified elector may vote before an absent voter's board by absent voter's ballot not more than thrity days nor later than noon on the Monday immediately preceding the election.

SB 108, Approved 2/27/80

Specifies that county commissioners may not change an existing precinct or establish a new precinct during the periods of time beginning immediately after December 31, 1989, and December 31, of each subsequent tenth year and ending May 1, 1992, May 1 of each subsequent tenth year, or the earliest date after the beginning of each period when legislation apportioning the entire state into districts for the election of members of the Indiana general assembly and the House of Representatives is passed and becomes effective, whichever is earlier.

INDIANA CONT'D

SB 187, Approved 2/27/80

Repeals the reorganization of the election precinct provision which required the state election board to reapportion election precincts if the county commissioners had not reorganized these precincts when necessary because of reapportionment of the members of the general assembly or redistricting of members of the United States Congress prior to the March 1 primary elections or the September 1 general elections.

SB 320, Approved 3/28/80

Includes towns among those political units for which the county election board has the power to conduct elections.

Provides that the chief law enforcement officer of the city or town in city or town elections will serve all processes issued by the board.

Deletes the section which specified requirements which might apply to registered voters in town elections. Provides that the requirements for registration of voters in towns are the same as for voters in all other political units in the state.

Provides that candidates whose nominations have been certified and who wish to resign from such ticket, must do so not later than noon on August 22 immediately preceding a city or town election or forty-five days preceding a special election.

Provides that the time for holding elections for all elective officers in all cities and towns and applicable cities and towns in which the boards of school commissioners or boards of school trustees are elected will be the first Tuesday after the first Monday in November in 1983.

Provides that primary elections to nominate candidates for all elective city and town officers will be held in every city and town of the state on the first Tuesday after the first Monday in May in 1983 and every four years thereafter.

Specifies that a town having a population of less than 3,000 may not hold a primary but that candidates will be nominated by convention.

Requires that two political committees of the major political parties be formed in towns having a population of 3,000 or more which will be composed of members of the county committee in which the town in located, representing precincts situated in whole or in part in the town, and its duly elected or appointed officers. Specifies the organizational and administrative procedures of such a committee and dates when conventions must be called.

Deletes the section detailing special requirements for city or town primary

elections and specifies that city and town primaries will be governed in the same manner as primaries in all other political units in the state.

Amends the section governing the procedure to be followed when a town elects to change into a city.

Provides that when certain specified conditions are met, a county executive may adopt an ordinance incorporating the town. Specifies the provisions which must be included in the ordinance, such as: 1) division of the town into not less than three nor more than seven districts that must be composed of contiguous territory, be reasonably compact, and be as nearly as is possible of equal population; and 2) specification of when an election must be held in the town.

SB 456, Approved 2/27/80

Requires the clerk of the circuit court to furnish the secretary of state with a list of the candidates nominated in any primary election including the names, addresses and the U.S. congressional district in which each candidate resides.

Provides that the clerk of the circuit court must state the number of votes received by each candidate in each U.S. congressional district located within the county in the returns he is required to send to the secretary of state the day after a primary election is held.

HB 1073, Approved 3/3/80

Deletes the stipulation that no election will be held for any city or town elected officer if only one candidate runs for the office.

Provides that if it is necessary to conduct an election for any office for which there is only one candidate running, if there is an election for any office whatsoever in the city or town, then all nominees for every office will appear on the election ballot.

KANSAS

SB 863, Approved 3/18/80

Includes "because of religious belief or practice" as one of the reasons an elector may choose to vote an absentee ballot on all offices, other than precinct committeeman or comitteewoman.

HB 319, Approved 4/16/80

Specifies that no local officer who has been recalled or who has resigned after a petition for recall has been filed, shall be eligible for appointment to fill the vacancy. If the officer is a member of a governing body, the person resigning shall be ineligible for appointment to any other position or office on the governing body until the current term of office has expired.

HB 2961, Approved 4/8/80

States that the board of county commissioners and the county election officer of any county may provide an electronic or electromechanical voting system to be used in elections at county voting places.

Provides that any county in which the county election officer and the board of county commissioners have determined than an electronic or electromechanical voting system shall be used or in which a proposition to use an electronic or electromechanical voting system has been adopted, may issue bonds with which to finance and pay for purchase, lease or rental of such system.

Specifies that whenever the secretary of state rescinds approval of any voting system, the board of county commissioners and county election officers shall abandon the system until changes required by the secretary of state have been made. However, if the secretary of state advises that acceptable changes cannot be made, abandonment shall be permanent.

HB 2964, Approved 4/17/80

Provides that persons may apply for an application to register to vote by telephoning the county election officer as well as by applying in person or in writing.

Provides that the county election officer must remove a voter's name from the registration book whenever any of the following occur: 1) an obituary notice appearing in the county newspaper reports the death of a registered voter; 2) a registered voter requests in writing that such voter's name be removed from registration; 3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists; 4) the name of a registered voter appears on a list of deceased residents compiled by the secretary of

KANSAS CONT'D

health; or 5) a registered voter fails to vote in two consecutive state general elections.

Provides that the county election officer must not use or permit the use of the list of deceased residents for any other purpose.

Provides that meetings of the county central committee will be called by the county chairperson or by any other officer of the county central committee by mailing a notice of the meeting to each precinct committeeman and precinct committeewoman at least seven days before the date of the meeting.

Provides that meetings of the district party committee will be called by the district chairperson or district vice-chairperson by mailing a notice of such meeting to each member and alternate member of the district committee at least ten days before the date of the meeting.

Provides that the meetings of the state committee of each party will be called by the state party chairperson or the state party vice-chairperson by mailing a notice to each member and alternate member of the state committee at least ten days before the date of the meeting.

Provides that meetings of city party committees for the purpose of organization will be called by the chairperson by mailing notice of such meeting to each precinct committeeman and precinct commmitteewoman at least seven days before the meeting.

KENTUCKY

SB 33, Approved 4/3/80

Specifies that the state board of elections (formerly the county clerk) shall prepare and issue a registration notification card to each elector registered after July 1, 1976.

States that at the time of reregistration each elector shall surrender any registration card in his possession to the county clerk and the state board of elections (formerly the county clerk) shall issue a new card. The state board of elections shall also issue a new card to any elector who loses his registration card and applies to the county clerk for a new one.

SB 366, Approved 4/9/80

See Section II for a summary of this law.

HB 24, Approved 4/3/80

Requires that the county clerk provide voter registration forms to each principal or assistant principal of every public high school, each vocational school, and upon request, private schools. A person in each school shall be designated as responsible for informing students and school personnel of the availability of the registration forms and assist them in registering with the party of their choice. The completed forms shall be returned to the county clerk for official registration.

HB 26, Approved 3/4/80

Specifies that after the polls are closed the sheriff and the judge from the opposite political party shall return the locked ballot box, all ballot stubs, spoiled ballots and unused ballots to the county clerk's office at the same time as the tabulation of votes from the voting machine is delivered.

HB 27, Approved 3/4/80

Provides that the county boards of elections must maintain the current boundaries of election precincts.

Specifies that if any county board of elections fails to perform the duties implicit in the maintenance of the current precinct boundaries, then the state board of elections must apply to the ciruit court of the county for a summary mandatory order requiring the county board to perform this duty.

Provides that this act will be repealed upon the termination of the 1982 regular session of the general assembly or upon the termination of any extraordinary session of the general assembly which enacts reapportionment and redistricting legislation, whichever occurs earlier.

HB 140, Approved 4/9/80

States that any qualified voter who will be absent from their county on any election day or any person incarcerated that has been charged with a crime but has not been convicted of said crime, may apply in person or by mail to the county clerk, not less than seven days before the election, for a special ballot. Such application shall be restricted to the use of the voter, the voter's spouse, the voter's parents or the voter's children.

HB 324, Approved 4/2/80

Provides that no person shall have his name printed on the regular election ballot for the office of mayor or commissioner without first being nominated.

States that write-in voting shall be permitted at the regular election. The nominee or write-in candidate and the four nominees or write-in candidates receiving the greatest number of votes shall be elected mayor and commissioners, respectively.

HB 340, Approved 4/3/80

Provides that prior to each primary election the county board of elections must review the boundaries of all election precincts where more than 700 votes were cast in the last regular election.

Provides that the county board of elections must not be prohibited from dividing election precincts regardless of the number of votes cast in that precinct in the last regular election.

HB 353, Approved 3/28/80

Specifies that the county board of elections shall make every reasonable effort to designate voting places which are accessible to all eligible voters, including the elderly and the physically handicapped.

HB 438, Approved 4/3/80

Provides that political parties must select one of the alternate methods listed for distributing a pro rata portion of authorized delegate votes among party candidates for President.

MAINE

SB 694, Public Law 639, Approved 3/13/80

Repeals sec. 1064 of t. 21 of the Maine Revised Statutes which deals with the bond requirement of a municipality in purchasing any voting device.

HB 1638, Approved 3/14/80

Proposes amendments to the constitution of Maine which become effective if adopted by the voters at the next general November election.

Provides that if any act, bill, resolve or resolution has been suspended by petition, the governor shall give notice by proclamation of the time when the measure is to be voted on at the next statewide (formerly general) election, not less than sixty days after such proclamation. If there is no statewide election within six months, the governor may order such measure submitted at a special election not less than sixty days (formerly four months) nor more than six months after the proclamation. If the governor fails to order such measure submitted at the next statewide election, the secretary of state shall order such election.

States that the electors may propose any bill, resolve or resolution to the legislature by written petition filed with the secretary of stae by 5:00 p.m. on or before the fiftieth day after the legislature convenes in the first regular session or on or before the twenty-fifth day after the legislature convenes in the second regular session. If the fiftieth or twenty-fifth day is a Saturday, Sunday or legal holiday, the period runs until 5:00 p.m. of the next day which is not a Saturday, Sunday or legal holiday.

Provides that the governor shall order any measure proposed to the legislature, and not enacted by the legislature without change, referred to the people at an election (formerly a special election) in November of the year in which the petition is filed.

Defines statewide election for purposes of the constitutional provisions concerning initiative and the people's veto to mean any election held throughout the state on a particular day.

Substitutes the term "people's veto" for the term "referendum" in art. IV, pt. 3 of the constitution of the state of Maine.

HB 1647, Public Law 638, Approved 3/13/80

Provides that the announcement of the name of the person who makes or finances the expenditure for an advertisement concerning a candidate or a measure appearing on the ballot may be either oral of visual. (Previously, a verbal announcement was required.) Amends sec. 1394 and sec. 1416 of the Maine election code.

MAINE CONT'D

HB 1720, Adopted 2/28/80

Proposes an amendment to the Maine constitution to bring into conformance the year in which the state house and senate are apportioned. Provides that the legislature which shall convene in 1983 (formerly, 1984) and every tenth year thereafter shall cause the State to be divided into districts for the choice of a senator from each district, using the same method as provided in the constitution for apportionment of representative districts.

HB 1774, Public Law 734, Approved 4/4/80

Relates generally to conflicts of interest in the executive branch and to financial disclosure requirements for policy-making executive employees. Requires each executive employee (defined to mean an appointed or an elected executive employee) to annually file with the secretary of state a sworn and notarized statement of finances for the preceding calendar year. Declares that the statements that are filed are public records. Requires a statement to indicate: (1) the category or type of entity or economic activity that is the source of income to him, his spouse, or dependent children that exceeds $300 during the year; and (2) if he is an attorney, the major areas of practice, and if associated with a law firm, the major areas of the firm's practice. An elective executive employee shall file an initial report within thirty days of his election. An appointed executive employee is to file an initial report prior to confirmation by the legislature. Each executive employee is to file the annual report prior to the close of the second week of April, unless he has filed in initial or updating report during the preceding thirty days. Each executive employee whose income substantially changes shall file a report of that change within thirty days of the change.

MARYLAND

SB 198, Chapter 11, Approved 2/29/80

See Section II for a summary of this law.

SB 199, Approved 2/15/80

Allows a political party not entitled to nominate candidates for public office by primary election to elect delegates and alternates at a party convention to represent it at its national convention.

SB 200, Approved 2/15/80

Changes the time period during which a presidential candidate who has been nominated in a primary election may withdraw his nomination. Such a candidate must withdraw within eighteen days after the deadline for filing certificates of candidacy; i.e., within eighteen days before 9:00 p.m. on the Monday which is ten weeks or seventy days before the primary date.

SJR 1, Approved 4/8/80

Ratifies the proposed amendment to the United States Constitution relative to providing representation for the District of Columbia in Congress.

MINNESOTA

SF 1010, Chapter 362, Approved 3/18/80

See Section II for a summary of this law.

SF 129, Chapter 588, Approved 4/22/80

Proposes an amendment to the constitution of Minnesota specifying how the senate and house of representatives will be apportioned.

Provides that a law changing the number of senators or representatives will be effective on January 1 of the next year ending in the number one following enactment of the law.

Provides that the legislature will not prescribe the boundaries for the districts of senators and representatives or for the districts of representatives in the Congress of the United States.

Provides that a reapportionment commission, consisting of nine eligible voters of the state, will be established by March 15 in each year ending in the number one or when required by court order to draw the boundaries of legislative and congressional districts.

Provides that one commission member will be appointed by each of the following: a) speaker of the house; b) members of the house representing political parties other than the party represented by the speaker; c) president of the senate; and d) members of the senate representing political parties other than the party represented by the president. The remaining five members will be appointed by unanimous agreement of the legislative appointees.

Establishes the following standards to be followed when drawing boundaries of legislative and congressional districts. There is to be one district for each state representative, state senator, and representative in Congress. All districts of the same kind will be as equal in population as practicable. Districts will be composed of compact and contiguous territory. Boundaries will follow the boundaries of local governmental units where practicable. Natural and man-made physical boundaries will be followed where practicable. No apportionment plan will be drawn for the purpose of favoring any person or political party.

Provides that an apportionment plan, which must be adopted not later than December 1 in years ending in the number one, is approved by a positive vote of at least six commission members.

Provides that the state supreme court will exercise original jurisdiction in any matter relating to apportionment. Provides that if the commission fails to adopt an apportionment plan within the time specified, the supreme court will adopt its own plan.

MINNESOTA CONT'D

Provides an extended period for establishing residence for legislative candidates if an apportionment plan for legislative districts is adopted by the supreme court later than April 1 of a general election year.

Provides that this amendment will be submitted to the people at the 1980 general election.

Defines political party as the political party or political principle by which a legislator was designated on the general election ballot when the legislator was last elected.

Provides that not more than five members of the commission will be residents of the metropolitan area and not more than five will be residents of the area consisting of the remainder of the state.

Provides that except for certain specified individuals, an individual cannot be appointed or cannot serve as a member of the commission if he or she: a) holds or has held within two years prior to appointment, an elected or appointed office in the executive, judicial or legislative branch or in an independent agency of the federal or state government; b) is or has been within two years prior to appointment an officer of a campaign committee of a candidate for state or federal office or an officer of a political party other than a precinct officer; c) is an employee of the legislature or Congress; d) is a member of the immediate family of a legislator or representative in Congress; or e) is or has been within two years prior to appointment a lobbyist.

Provides that no individual appointed as a member of the commission will remain a member if he or she becomes a candidate for any elective state or federal office.

Specifies when and how the persons specified by the constitution to submit names of commission appointees will certify these names to the secretary of state. Provides that the secretary of state will notify the chief justice of the supreme court if certification is not received within the required time.

Vacancies on the commission other than those resulting from a failure to appoint a member within the time provided by law will be filled by the appointing authority that made the original appointment.

Provides that the secretary of state will specify the time and place for the commission meeting. Details the procedures to be followed at this meeting including the fact that the proceedings, materials and minutes of the commission are open to the public.

Provides that commission members may be removed from the commission by the supreme court upon petition filed by an eligible voter and after a hearing and upon finding by a preponderance of the evidence that the member: a) has been convicted, during his membership, of a gross misdemeanor or felony; b) is unqualified to serve because of present or prior governmental service or close relationship to a legislator in Congress; c) is physically or mentally incapable of serving; or d)

MINNESOTA CONT'D

is unwilling to serve (failure to attend three successive meetings of the commission or failure to attend a total of six meetings of the commission is prima facie evidence of unwillingness to serve).

Provides that an apportionment plan adopted by the commission will include the following items: a) a written description of each district drawn by the commission; b) a map of each district showing the name and location of each public road and each local governmental unit boundary; c) a map of the state showing all of the districts drawn by the commission; d) a statement of the deviation in population of all districts of that kind; e) a justification of any population deviation described in (d) which exceeds one-half of one percent for congressional districts or five percent for legislative distrcts; f) an explanation of the standards used by the commission to draw the districts; and g) any other informaton which the commission deems relevant to the plan.

Provides that an apportionment plan must be adopted not later than September 1 of the year in which the commission is established. Provides that the commission must file the plan with the secretary of state within five days of its adoption.

Provides that a commission will be called when either the number of the state's representatives in Congress is changed by federal law or a federal court order requires adoption or amendment of an original plan.

Specifies that the commission will submit any adopted apportionment plan to each county auditor and each newspaper of general circulation, and each radio and television station in the state. The commission shall prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

NEBRASKA

LB 535, Approved 4/17/80

See Section II for a summary of this law.

NEW JERSEY

SB 1134, Chapter 458, Approved 2/27/80

Provides that members of the municipal and county committees of political parties must be residents of the districts or units from which elected. If a member ceases to be such a resident a vacancy on that committee will exist.

SB 3383, Chapter 467, Approved 2/27/80

Specifies that no person may run for more than one office at the same general election if he could not legally hold such offices together after the election.

AB 3523, Chapter 423, Approved 2/8/80

Provides that the committee on resolutions appointed by the state convention of each political party shall prepare a tentative party platform and furnish it to each member of the convention within seventy-five days (formerly three weeks). A minimum of three public hearings shall be held by the committee on resolutions throughout the state. Also provides that the state convention of each political party shall adjourn and meet again no later than ninety days after the initial adjournment at its original set meeting place. The date of adjournment shall be set by the state chairman of each political party and notice of the date shall be furnished to each member no later than fifteen days prior to such adjourned meeting.

NEW MEXICO

SB 63, Chapter 43, Approved 2/28/80

Amends and repeals certain sections of the presidential primary act.

Includes as a member of the presidential primary candidates nominating committee, the state chairmen of the major political parties which will participate in the presidential primary. Requires that the nomination and certification of the candidates to the secretary of state occur by February 15.

Requires notification by certified mail by the secretary of state to each candidate nominated by the committee or by petition that his or her name will be included on the presidential primary ballot unless a written request of omission is received by that person at least fifty days before the election.

Provides that under most circumstances the placement of candidates on the ballot will be in two groups, the first group consisting of candidates who are nominated by committee or petition with each candidate's position determined by lot, and the second group made up of the uncommitted category.

Requires that the secretary of state notify the state chairman of each political party participating in the primary of the following information: 1) the names of all candidates and the uncommitted category; and 2) the total vote and the percentage of the total vote for each candidate or the uncommitted category.

Requires delegates to file with the state chairman of his or her political party a written declaration of acceptance as a delegate to the national convention at least fifteen days before the convention; requires the chairman to forward the declaration to the secretary of state by ten days before that convention.

Outlines the procedures under which the delegates to the national convention are required to cast their votes. Changes the delegate's pledge to vote on the first ballot for the nomination for president in accordance with these new procedures. Specifies that any delegate representing the uncommitted category may vote for any candidate at the national convention or remain uncommitted.

Repeals the provision which required the secretary of state to certify to the credentials committee at the national conventions of each political party the list of names of qualified delegates.

HB 136, Chapter 13, Approved 2/14/80

Adds the state chairmen of the major political parties participating in the presidential primary to the list of committee members who nominate the presidential primary candidates, and requires such committee to certify the names of the nominees to the secretary of state not later than February 15 before the primary election (formerly ninety days before).

NEW MEXICO CONT'D

Requires a candidate to notify the secretary of state at least fifty days prior to the primary election if he wishes to withdraw his name from the ballot.

Establishes the placement of candidates' names on the primary election ballot. Candidates in the presidential primary shall appear with the candidates of the same party for other offices; candidates nominated by committee and petition shall appear first, their placement determined by lot, unless the balloting order has been determined by the party's pre-primary nominating convention.

Requires the secretary of state to notify the state chairman of each political party participating in the primary of the names of all candidates and uncommitted delegations and the total vote and percentage of the total vote received by each candidate or delegation, and that each party select its allotted delegates according to its party rules.

Establishes the manner in which the chairman of each party's delegation will apportion the delegate vote and requires that any votes released before the first ballot by the written release or death of the candidate be allotted to the uncommitted delegation.

Changes the filing deadline for delegate pledges: the delegate must file with the state chairman of his political party at least fifteen days, and the state chairman must submit it to the secretary of state at least ten days, before the national convention.

Requires that a delegate be affiliated with the party he represents at least forty-five days prior to the presidential primary election.

Repeals a provision which required the secretary of state to certify the list of delegates and alternates to the credentials committee of each political party participating in the presidential primary election.

NEW YORK

SB 7207, Chapter 5, Approved 2/14/80

Provides that paper ballots may be used for any village election held on March 18 or 25, 1980.

HB 8768, Chapter 14, Approved 3/10/80

Provides that all voting machines used in a village election held within thirty days of the twenty-fifth day of March, 1980, will remain locked for at least seventy-two hours after the election. Provides that if any candidate in that election files a certificate of objection with the village clerk within twenty-four hours after the close of the polls, to having the voting macnines unlocked, the voting machines will not be unlocked for at least thirty days after the election.

OHIO

SB 251, Approved 4/2/80

See Section II for a summary of this law.

SOUTH CAROLINA

SB 475, Approved 1/21/80

Requires the election of a county governing body from single-member districts, unless otherwise determined by referendum, in a county in which the governing body was appointed rather than elected immediately prior to June 25, 1975.

Authorizes the general assembly to prescribe the form of government of a county, the manner of election, and number and terms of council members, if the governing body of a county is declared illegal. Allows the general assembly to determine by referendum the wishes of the electorate regarding the form of government, manner of election and number and terms of council members.

Directs the general assembly to reapportion all electoral districts within one year of the adoption by the state of the federal census, but allows the general assembly to delegate reapportioning authority to county councils.

Permits the salaries of supervisors to be increased during their terms of office, but prohibits supervisors from voting on the salary question when it is considered by the council.

SOUTH DAKOTA

SB 62, Approved 2/8/80

Repeals the South Dakota presidential preference primary (South Dakota Compiled Laws, sec. 12-6A-1 et seq.).

SB 106, Approved 2/8/80

See Section II for a summary of this law.

HB 1015, Approved 2/27/80

Provides that any registered voter who expects to be or may be absent outside the state or the United States on the day in which an election is held or who may be within the state on the day of any election but because of illness, temporary or total disability, observance of a religious holiday, resident attendance at school, college or a university or because of the nature and hours of his employment, and is not otherwise disqualified by law from voting in such election, may vote by absentee ballot.

States that a person who desires to vote by mail may apply to the person in charge of the election for an absentee ballot at any time at least seven days prior to an election.

Provides that a voter may apply for an absentee ballot in person during the seven days before the election up to 3:00 p.m. of the day of the election.

Specifies that in case of sickness or confinement, a qualified voter may apply in writing for an absentee ballot by authorized messenger. The person in charge of the election is authorized to issue such ballot to be delivered to the voter.

Requires an authorized messenger for more than one voter to notify the person in charge of the election of all the voters for whom he is a messenger.

Provides that if the envelope containing the enclosures to vote is not delivered personally by the person in charge of the election or an authorized messenger filling the voter's request for an absentee ballot, it shall, except for federal service voters, be mailed by first class mail.

Specifies that upon the return of the absentee ballot, the person in charge of the election shall provide authorized messengers with a receipt upon delivering the absentee ballots.

States that a record shall be kept by the person in charge of the election of the name of the authorized messenger requiring an absentee ballot to be delivered to another voter.

SOUTH DAKOTA CONT'D

HB 1062, Approved 2/8/80

Provides that each voter signing a nominating petition, a referendum petition, or a peition proposing an ordinance may indicate by ditto marks the residence mailing address and the date on which the petition was signed if this information is the same as that last written above his signature.

HB 1069, Approved 2/19/80

Deletes a provision from the election code which required the secretary of state to request the annual involvement of the clerk of the U.S. district court in updating voting records.

HB 1070, Approved 2/19/80

See Section II for a summary of this law.

HB 1144, Approved 2/19/80

See Section II for a summary of this law.

HB 1247, Approved 2/11/80

Prohibits a candidate for the office of U.S. Senator or Representative in Congress from filing a certificate of nomination to run in the general election if he was defeated in the primary election.

HCR 1001, Adopted 1/28/80

Directs the local government study commission to conduct a thorough review of all election statutes in an effort to consolidate them under fewer titles of the South Dakota Codified Laws and to include the results of this review in its report to the next legislature.

TENNESSEE

SB 212, Chapter 483, Approved 2/22/80

Requires the chairperson of each statewide political party to certify to both the secretary of state and the coordinator of elections: (a) the number of delegates to the national convention allocated by the national party to be elected by the state party; and (b) the number of delegates allocated to the state party by the national party to various congressional districts in the state, and the number of delegates-at-large allocated by the national party to the state party.

Requires that when a political party has allocated three delegates from each congressional district by national party rules, at least one-third (formerly one-fourth) of a party's at-large delegates be elected by popular vote.

Adds a provision which ensures that the candidate who receives the greatest number of primary votes will not receive fewer district and at-large delegates than the candidate with the next greatest number of votes.

Requires that petitions for a candidate for delegate to the national convention of a political party contain the name and address of the candidate, and that the petitions be verified by the commissioner of elections.

Changes the deadline for filing or mailing of nominating petitions by candidates for election as delegates to the national convention of a political party from the second to the third Tuesday in March of a presidential election year.

SB 1552, Chapter 580, Approved 3/19/80

States that any member of the General Assembly is authorized to witness postcard registration forms in any county which he represents, provided he has filed a sample of his signature with the local election commission prior to such witnessing, unless the member is otherwise qualified as a witness.

SB 1558, Chapter 675, Approved 4/13/80

States that after any alteration of precinct boundaries, the county election commission shall immediately give written notification of such changes to the office of local government, comptroller of the treasury.

Adds to the duties of the office of local government the compiling and maintaining of precinct maps of all precincts in the state, the updating of such maps at least once every three years and providing copies of such maps upon request to any citizen at cost.

SB 1562, Chapter 676, Approved 4/3/80

Changes the day that a notice of election on the abolition of a town or city charter must be publicized from twenty to thirty days before the election.

Provides that such an abolition election will be held in conjuction with the next scheduled city or county-wide election, primary or referendum which is held forty-five days after the petitions for abolition are filed with the election commission.

SB 1567, Chapter 678, Approved 4/3/80

Provides that when elections are being held in two or more voting districts within any one county, the time period for registration and alteration of permanent registration records shall be separately calculated for each election. Registration and alteration of permanent registration records shall not be prohibited in one election because it is twenty-nine days prior to another election within the same county.

SB 1802, Chapter 590, Approved 3/19/80

Provides that in a run-off election following a primary election for municipal office, such run-off election may not be held less than thirty days following the primary election. The county election commission shall provide absentee voting in such run-off election.

SB 2316, Chapter 712, Approved 4/3/80

Requires that the main office of the county election commission, in counties having a metropolitan form of government, be open for four consecutive Saturdays preceding the date for the close of registration prior to any election set by statute. However, if any of these Saturdays should conflict with a holiday weekend when all county offices are closed, this requirement shall not apply for that Saturday if the county election commission gives notice of the closure by advertisement in a local newspaper of general circulation throughout the county.

HB 565, Chapter 715, Approved 4/3/80

Requires that there be a supplemental registration location for every 25,000 (formerly 30,000) people in the county.

Provides that in counties having a population of 100,000 or more, the county election commission shall conduct at least one supplemental voter registration each month in the last two working days in which automobile registrations are accomplished to be held adjacent to the county clerk's office where automobile licenses are sold.

HB 1049, Chapter 543, Approved 3/12/80

Permits counties (except those having a population of over 600,000 and those having a metropolitan form of government) to extend the 100 foot boundary within which the display or distribution of certain campaign material and solicitation of votes are prohibited.

HB 1646, Chapter 649, Approved 3/27/80

States that if the date for an election on a question falls within thirty days of a regular primary or general election being held in the jurisdiction voting on the question, the date of the election may be reset to coincide with the regular primary or general election, even though it may be outside of the time period established. All dates dependent on the date of the election shall be adjusted accordingly and any acts required to be done by these dates shall be performed timely if done by the adjusted dates.

Specifies that if it is necessary to hold a special election to fill a vacancy in the United States House of Representatives, state general assembly, county office or a municipal office and the date for such election falls within thirty days of a regular primary or general election being held in that district, the governor or county election commissioner (for county and municipal offices) may adjust the date of the special election to coincide with the regular primary or general election. All other dates dependent on the date of the election shall be adjusted accordingly and any acts shall be timely done if performed in accordance with the revised dates.

States that all polling places shall open by 8:00 a.m. (prevailing time) for a minimum of ten continuous hours but no more than thirteen (formerly twelve) hours. States also that at the discretion of the county election commission the polls may open at an earlier time.

HB 1672, Chapter 638, Approved 3/26/80

Deletes the section of the election code which requires all persons other than hospitalized, sick or disabled voters to submit a certificate of non-registration to obtain an absentee ballot.

Provides that all full-time students in an accredited college in the state but outside the county where registered, must submit a certificate of non-registration when applying to vote by mail with an absentee ballot.

TENNESSEE CONT'D

Provides that it is no longer necessary that a physician's statement be a sworn statement when an elector wishes to be included on a permanent absentee voting register. Provides that this statement is under the penalty of perjury.

Changes the procedures for processing the absentee ballot applications of certain individuals who are full-time residents of any licensed nursing or retirement home which is located outside of the county where they are registered to those procedures followed for voting absentee by mail.

Permits a registered voter to cast his vote by absentee ballot by personal appearance at the county election commission office if that person will be unable to appear at his polling place on election day due to hospitalization, illness or physical disability.

Provides that full-time residents of any licensed nursing or retirement home are excepted from the requirement of voting at the polling place or absentee by personal appearance at the commission office for the first election participated in after registering by mail.

Provides that deptuty registrars sent to licensed nursing or retirement homes to process and attest absentee ballot applications and ballots are also required to assist disabled, illiterate or blind voters following the procedures stipulated in the election code.

States that except as otherwise expressly provided, the attestation of an absentee ballot envelope of a voter voting with assistance must be witnessed by two persons, signing their names and addresses. Also states that except as otherwise expressly provided, the witnessing signatures and addresses of two persons must accompany the written name of the voter and the signature of the person assisting a disabled voter who is unable to sign his or her name or make a mark.

HB 1673, Chapter 609, Approved 3/19/80

Specifies that the county election commission shall seal and mail or deliver in person the original of the official tabulation and certification of results to the secretary of state, the first copy to the governor and the remaining copy shall be filed with the county clerk. In the case of a general election for the office of governor, an additional copy of the returns shall be sent directly to the speaker of the Senate.

States that the county election commission shall deliver the official tabulation and certification of results as follows: 1) in an election of a county official, the original copy to the coordinator of elections and the copy filed with the county clerk; 2) in an election for a municipal office, the original copy to the chief administration offices of the municipality and the copy filed with the county clerk; 3) if a question, the original copy to the cooridnator of elections and the copy to be filed with the county clerk; and 4) the original copy to the coordinator of elections, a copy mailed to the chairperson of the political party's state executive committee and the remaining copy to the county clerk.

Provides that the official tabulation and certification of results forms shall be furnished by the coordinator of elections and the county election commission. The county election commission shall issue certificates of elections to each person elected except those to be commissioned by the governor.

Specifies that boards and commissions established shall meet on the call of their chairpersons, or if there is no chairperson, the eldest member in age. Specifies that all meetings shall be open.

Deletes Saturday from being included in the computation of time within which any act is to be done.

HB 1779, Chapter 772, Approved 4/3/80

Provides that in each county with a population of 100,000 or more, the county election commission shall conduct atr least one supplemental voter registration each year at every public and private high school in the county for at least four hours for the purpose of registering those persons who will be eligible to vote in the next election.

HB 1867, Chapter 725, Approved 4/3/80

Deletes the existing definition for "election" and substitutes the following definition: a general election for which membership in a political party in order to participate therein is not required.

Defines "primary election" as meaning an election held for a political party for the purpose of allowing members of that party to select a nominee or nominees to appear on the general election ballot.

HB 1935, Chapter 728, Approved 4/3/80

Provides that any person whose registration by mail was rejected because of lack of a proper witness may come to the commission office before the twenty-fourth day prior to the election and present his rejection of registration notice to the registrar. Such person shall be registered to vote at that time if otherwise eligible to register.

HB 2106, Chapter 658, Approved 3/27/80

Requires that if any member of the county legislative body accepts the nomination as a candidate for the office of county executive, sheriff, trustee, registrar, county clerk, superintendent of roads, superintendent of schools, circuit court clerk, assessor of property or seat in the general assembly and fills the office, such member shall automatically become disqualified to continue in office as a member of the county legislative body.

HB 2131, Chapter 789, Law Without Approval 4/17/80

Enacts the Tennessee State Employees Uniform Nepotism Policy Act of 1980. Provides that within each governmental entity, no state employees who are relatives are to be placed within the same direct line of supervision whereby one relative is responsible for supervising the job performance or work activities of another relative. However, to the extent possible, the provisions of this act are not to be construed to prohibit two or more such relatives from working within the same state governmental entity. Specifies that the act is not to be applied retroactively but is to be adhered to by each governmental entity in all hiring and employee transactions subsequent to the effective date of the act (July 1, 1980).

HB 2163, Chapter 804, Law Without Approval 4/21/80

Provides for the appointment of precinct registrars who shall be inhabitants of and registered voters at a polling place in the county (having a population of less than 600,000). Inspectors shall also be inhabitants of and registered voters at a polling place in the county.

Specifies that in counties having a metropolitan form of government the county election commission may appoint persons as precinct registrars who shall be registered voters at a polling place within each legislative district. Inspectors shall also be registered voters at a polling place in the legislative district.

HB 2393, Private Chapter 238, Approved 3/26/80

Directs the officer of elections for each polling place in Rhea County to measure off 200 feet from the entrances to each building in which any election in the county is to be held and to place boundary signs at that distance. Within the 200 foot boundary and the building in which the polling place is located, display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person or political party or position on a question are prohibited. Specifies that this act shall have no effect unless approved by the voters of Rhea County in an election on May 6, 1980.

UTAH

SB 24, Approved 2/13/80

Provides that county primary conventions may be held during the month of May as well as in June.

VIRGINIA

SB 129, Chapter 695, Approved 4/5/80

Provides that any office which is mentioned in art. VII of the state constitution and any of the following offices must not be held in conjunction by the same person: a) treasurer; b) sheriff; c) attorney for the commonwealth; d) clerk of the court in the office where deeds are recorded; e) commissioner of the revenue; f) supervisor; or g) councilman. This prohibition is subject to a list of exceptions, including a new exception which permits a member of a local governing body to serve as a member of a board of directors, governing board or advisory council of an area agency on aging provided for by sec. 2.1-373 of the Code of Virginia.

States that except as specifically provided in general or special law, no board mentioned in the excepted list of positions will be comprised of a majority of elected officials as members, nor can any county or city be represented on such board by more than one elected official.

SB 424, Chapter 639, Approved 4/4/80

Provides that when the circuit judges fill a vacancy of the county and city electoral board, the clerk of the circuit court must send a copy of each order making an appointment to an electoral board to the state board of elections.

Provides that the chairman and the secretary of the county and city electoral board must represent the two political parties which received the highest and the next highest number of votes in the preceding gubernatorial election unless the representative of the political party having the second highest nunber of votes at the last preceding gubernatorial election declines in writing to accept either of such offices.

Provides that in appointing officers of election, an electoral board should appoint an equal number of representatives of the political parties, except in precincts having an odd number of officers of election there may be a variation from equality by no more than one.

Provides that in cities and counties where council members are elected from separate districts or wards, election districts or precincts must be wholly contained within the separate districts or wards.

Deletes the requirement that the general registrar publish paid advertisements in a general circulation newspaper in the county or city at least twenty days before every primary and general election of registration procedures for voter transfer.

Includes the following persons otherwise qualified to vote as being qualified to register by absentee application: a) members of the armed forces and their spouses or dependents who are normally absent from the city or county of residence; b) persons and their spouses or dependents who reside temporarily outside of the U.S. because of employment; and c) members of the Merchant Marine of the U.S. and their spouses or dependents.

Provides that any registered voter may have his or her name removed from the registration books and central registration roster by signing an authorization for cancellation form in person at the office of the registrar.

Provides that a person is eligible for temporary registration by absentee application when residing outside the U.S. if it is stated whether or not he or she has a valid passport or card of identity and registration issued by the secretary of state.

Requires that one polling place be established by ordinance for each town except where the town council establishes voting precincts under the provisions of sec. 24.1-39 of the Virginia Code Annotated. Deletes the section which authorized the officers of election to fix voting places if they are not fixed by ordinance.

Provides that officers of election must be chosen from a list of persons qualified to serve which is submitted to the secretary of the electoral board by the two political parties casting the highest and next highest number of votes at the last gubernatorial election.

Requires that the electoral boards send a copy of each printed ballot, voting machine ballot and statement of the number of ballots ordered to be printed to the state board of elections. Provides that the state board of elections may direct the local electoral boards to increase the number of ballots printed.

Specifies that the following entities are authorized to place additional names on the ballot following procedures specified in secs. 24.1-166 through 24.1-168 of the Virginia Code Annotated, where a party nominee dies or withdraws after the time has expired for qualifying: a) the political party of the deceased or withdrawn nominee; b) any other political party which did not offer an opposing candidate to the deceased or withdrawn nominee; and c) any nonparty candidate.

Provides that political party candidates will be listed on the ballot first with each political party position within this category determined by lot.

Specifies that independent candidates will be listed on the ballot under political party candidates. Provides that each independent's position within this category will be determined by lot by the state board of elections.

Specifies that groups qualifying for a party name through petition in presidential elections under sec. 24.1-159, will be treated as a class and will follow independents on the ballot.

Allows the officers of election to change part of the pollbook format although the same information is required.

Stipulates that the state board of elections must meet and make a statement as to the number of votes cast and issue a certificate of election for any officer shared by more than one county or city or combination rather than having the secretary make out and deliver a certificate of election.

VIRGINIA CONT'D

Provides that the Virginia Freedom of Information Act will not apply to the certified abstracts of the votes or any other documents used by the state board of elections in ascertaining the results of any election until such results have been finally determined by the board.

Provides that the board of elections may extend the deadline set for the written statement of qualified voter and office holder which each candidate for any office of the commwealth is required to file.

Provides that no less than fifty qualified voter signatures are required in a petition of candidacy for membership on the governing body of any county or city containing one thousand or less registered voters. Provides that a candidate for office in a town having less than one thousand registered voters will not be required to file a petition.

Provides that there must be two pollbooks which follow the format specified in sec. 24.1-189 of the Virginia Code Annotated for each political party taking part in a primary. Directs the officers of election to enter the name of the appropriate party on the cover of the pollbook.

Provides that the state board of elections may experiment with ballots and ballot counting equipment in casting and counting absentee ballots in one or more counties and cities which have been designated by the board and which have met the following criteria: a) they have established central absentee voter election districts; and b) the local electoral board has submitted to the state board of elections a plan for the use of such ballots and equipment.

Provides that in case a voter asks for further instructions concerning the manner of voting after entering the voting booth, two election officers from different political parties should give instructions if possible.

Provides that absentee ballot applications must be signed in the presence of one subscribing witness.

Provides that the general registrar must enroll the name on each absentee ballot application on a list which must be regarded as a public record and must be available for public inspection and copying during office hours.

Provides that the Fair Elections Practices Act, sec. 24.1-251 et seq., applies to all the elections within the Commonwealth. Provides that these elections will not be subject to further regulation by local law.

Provides that all reports required under the Fair Elections Practices Act and filed in the office of the state board of elections will be available for copying by any qualified voter. Provides that the board must maintain a copying machine at its office to produce copies, at a reasonable charge rate, for any qualified voter requesting them.

VIRGINIA CONT'D

SB 538, Chapter 41, Approved 3/3/80

Provides that any primary election preceding the May, 1980, general election must be held on the second Tuesday in March, 1980.

Provides that all persons other than candidates for a party nomination or party nominees, who intend to be candidates at the May, 1980, general election in any locality in which the March primary will be held, must give notice not later than the closing of the polls on the primary election date.

WASHINGTON

SB 3359, Chapter 3, Approved 2/6/80

Provides that a special state, county, city, town and district election may not be held on the second Tuesday in March (a date specified as being a normally acceptable special election date choice), if a statewide political party caucus by a major political party is scheduled for that day, but may be held on the third Tuesday in March.

Provides that this is the ruling statute regarding mandatory dates for holding elections except for those elections held pursuant to a home-rule charter adopted under art. XI, sec. 4, of the state constitution.

Provides that in any county holding an election on the second Tuesday in March of 1980 pursuant to a home-rule charter, any city, town or district where any portion of the registered voters of that city, town, or district reside within that charter county may hold special elections on that date.

SB 3362, Chapter 107, Approved 3/10/80

Provides that by July 1, 1980, each county auditor must prepare for public inspection and use, maps of the county and of each city or town within that county, clearly delineating precinct boundaries for the 1980 state primary and general election. These maps must be transmitted to the secretary of state by November 1, 1980, along with a listing of the census blocks and enumeration districts which are contained within each precinct.

Prohibits the office of the secretary of state from associating voting results in any manner with the maps and census information supplied by the county auditors.

HB 1829, Chapter 48, Approved 2/29/80

Provides that in addition to other specified duties, the county auditor is to appoint a school official or school employee as deputy registrar for each common school and is to appoint as deputy registrar a person employed at each fire station which is convenient to the public.

WEST VIRGINIA

SB 76, Approved 3/21/80

Provides that any person who is an officer of any state, county, district or municipal political party executive committee shall not be eligible to serve as clerk of either house of the state legislature. Requires the clerk of each house to devote full time to his public duties to the exclusion of any other employment.

WISCONSIN

SB 235, Chapter 120, Approved 2/20/80

Authorizes any county, city, village or town to adopt an ordinance establishing a code of ethics for public officials and employees of the county or municipality and candidates for county or municipal elective offices. An ordianance adopted pursuant to this authorization may contain any of the following provisions: (a) a requirement that public officials, employees and candidates identify specified economic interests; (b) a provision directing the county or municipal clerk to omit the name of any candidate from the ballot if he fails to disclose his economic interests as required; (c) a provision directing the county or municipal treasurer to withhold the payment of salaries from any employee who fails to disclose his economic interests; (d) a provision vesting administration and civil enforcement of the ordinance with an ethics board; (e) specification of ethical standards of conduct and prohibition of conflicts of interest; and (f) a penalty of not more than $1,000 for each offense.

AB 459, Chapter 110, Approved 2/20/80

Changes the terminology specifying the disqualification of voters from those persons who are "non compos mentis, insane," to those persons who are "incapable of understanding the objective of the elective process."

WYOMING

HB 114, Chapter 31, Approved 3/5/80

See Section II for a summary of this law.

SECTION II - STATE CAMPAIGN FINANCE SESSION LAWS

GEORGIA

HB 1249, Act 995, Approved 3/20/80

Amends the Georgia Campaign and Finanacial Disclosure Act.

Declares that it is the policy of the state to require public disclosure of campaign contributions and expenditures when they are designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in any county or municipal election. Expands the definition of "campaign committee" to include any person or committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in any county or municipal election. Requires any campaign committee which accepts contributions or makes expenditures in regard to a proposed question on the ballot in a county or municipal election to file a campaign financing disclosure report. However, such report shall be required only if the campaign committee has received contributions or made expenditures which total more than $500. Such a report of a campaign committee is to be filed with the judge of the probate court of the county in the case of a county elecction or with the municipal clerk in the case of a municipal election. Any such report shall be filed fifteen days before the election and a final report shall be filed before December 31 of the year in which the election is held.

Specifies that all advertising pertaining to referendums must identify the principal officers of the campaign committee by containing the name and title of the principal officer.

Requires any campaign committee that accepts contributions or makes expenditures to bring about the recall of a public official to file campaign financing disclosure reports with the secretary of state. Such a committee is to file an initial report within fifteen days of the date when the official recall petition forms were issued to the sponsors. A second report shall be filed forty-five days after the filing of the initial report, and a third report shall be filed within fifteen days after the expiration date for acquiring signatures on the recall petition. A final report shall be filed prior to December 31 of the year in which the recall election is held.

IDAHO

HB 382, Approved 2/13/80

Amends sec. 63-3024B of the Idaho revenue and taxation code, relating to political contributions, by repealing the alternative tax deduction for political contributions, so as to allow only a credit (limited to $5 for an individual and $10 for a married couple filing a joint return) for such contributions.

KENTUCKY

SB 366, Approved 4/9/80

Amends the definition of "committee" to mean one of the following: (a) a campaign committee which is one or more persons who receive contributions and make expenditures to support or oppose one or more specific candidates for nomination or election to any state, county, city, or district office; (b) a political issues committee, which is three or more persons joining together to advocate or oppose a constitutional amendment or public question if that committee receives or expends more than $1,000; (c) a permanent committee, which is a group of individuals, including an association, committee, or organization, other than a campaign committee or party executive committee, which is established as, or intended to be, a permanent organization having as its primary purpose political activity, and which functions on a regular basis throughout the year; or (d) an executive committee of a political party.

Defines a "contributing organization" as a group which merely contributes to candidates, campaign committees, or executive committees from time to time from funds derived solely from within the group, and which does not solicit or receive funds from sources outside the group itself. Specifies that any contributions made by such groups in excess of $100 shall be reported to the registry of election finance.

Prohibits any person from becoming liable as surety, endorser, or guarantor for any sum in excess of the specified contribution limitation.

Exempts from the definition of "contribution" a loan of money by any financial institution doing business in the state that is made in accordance with applicable banking laws and regulations and in the ordinary course of business.

States that the prohibition on corporate political contributions shall not be construed to bar a corporation from making contributions in support of a position on an issue of public importance.

Directs the registry of election finance, upon the sworn complaint of any person or on its own initiative, to investigate alleged violations of the campaign finance law. If after a preliminary investigation the registry concludes that there is probable cause to believe that the law has been violated, it may hold a hearing to determine if a violation in fact incurred. States that if a hearing is held, the person complained against may choose whether the hearing shall be open or closed. At such a hearing, the person complained against shall have all of the protections of due process, including the right to be represented by counsel, the right to call and examine witnesses, the right to the production of evidence by subpoena, the right to introduce exhibits and the right to cross-examine opposing witnesses.

Provides that when the registry determines that the preponderance of the evidence shows a violation has occurred, it shall issue an order to the violator to comply with any one or more of the following requirements: (a) to cease and

desist from the violation; (b) to file the required reports or other documents; or (c) to pay a penalty of up to $100 per day for failure to file any required report or other document until it is filed. Permits the registry to refer cases in which it determines that there is probable cause to believe that there has been a wilful violation to the attorney general or to the appropriate local prosecutor for investigation and prosecution.

States that any person directly involved or affected by an action of the registry which is final, other than a determination to refer a violation to the attorney general or the local prosecutor, may seek judicial reveiw of such action. If judicial review is sought of any action of the registry relating to a pending election, the matter shall be advanced on the docket of the court.

Requires any person making an independent expenditure to file a report when he exceeds $100 per calendar year on forms provided by the registry of election finance.

Provides that in addition to other required reports, persons becoming candidates and campaign committees which register in the year before the year in which an election will be held in which the person supported is a candidate, shall file financial reports with the registry of election finance at the end of the first calendar quarter after the person becomes a candidate or following registration of the committee, and each calendar quarter thereafter, ending with the quarter just prior to the due date of the first pre-primary reports.

Requires each permanent committee to make a full report to the registry of all money, loans, or other things of value received by it from any source since the date of the last report, including the name, address and occupation of each person or group contributing in excess of $100, the amount contributed by each and the date of the contribution, and a complete statement of all expenditures authorized, incurred or made, other than independent expenditures. This report is to be made to the registry on the last day of the first calendar quarter following the registration of the committee with the registry and on the last day of each succeeding calendar quarter until such time as the committee terminates.

Provides that if the final statement shows an unexpended balance of contributions, continuing debts and obligations, or an expenditure deficit, the campaign treasurer shall file a supplemental statement of contributions and expenditures not more than thirty days after the deadline for filing the final statement. Subsequent supplemental statements are to be filed semi-annually thereafter on June 30 and December 31 until the account shows no unexpended balance, continuing debts and obligations, expenditures or deficit. Specifies that a candidate does not have to file supplemental reports if the debt is the candidate's personal note.

Relieves a candidate of the duty of personally filing reports and keeping records of receipts and expenditures if the candidate states in writing that within five days after personally receiving any contribution, he will surrender

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possession of the entire contribution to the treasurer of his principal campaign committee. Also, the candidate must agree not to make any unreimbursed expenditure for his campaign.

Permits a candidate to designate one central campaign committee. (Formerly, a candidate was required to designate a central campaign committee.)

Specifies that campaign committees not authorized by, or which have been disavowed by the candidate, shall not include the name of the candidate as part of the committee's name and shall file required campaign finance reports and statements with the registry of election finance.

Permits a political party to use funds received under the state's program of public financing of election campaigns not only in support of the party's candidates in a general election, as previously permitted, but also for the administrative costs of maintaining a political party headquarters.

Amends several provisions relating to violations of the campaign finance laws to specify that the violator will be subject to criminal prosecution only if the offense was committed wilfully.

MARYLAND

SB 198, Chapter 11, Approved 2/29/80

Requires the chairman and the treasurer of any central committee or of any political committee which continues in existence from year to year to file a report or statement of contributions and expenditures no later than the third Tuesday after any election or prior to taking office, whichever occurs first, in addition to filing reports at other previously required times.

Specifies that the late filing fee for each report or statement of contributions and expenditures that is not timely filed is applicable to any preelection report required by the Annotated Code of Maryland, art. 33, sec. 26-11(A)(1), 26-11(A)(2), 26-11(C), or 26-11(D). Adds Saturdays to Sundays and holidays as days that are excluded in computing the late filing fee.

MINNESOTA

SB 1010, Chapter 362, Approved 3/18/80

Adopts provisions relating to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin county and having a population of 75,000 or more. Also adopts requirements for disclosure of economic interests by candidates and elected public officials of these jurisdictions. Specifies that the provisions of Minnesota Statutes Annotated, sec. 210A.22 to 210A.33, are inapplicable to the financing of campaigns for election which are subject to this act. States that the act applies only to elections for which the filing period opens on or after July 1, 1980.

NEBRASKA

LB 535, Approved 4/17/80

Amends, effective January 1, 1981, provisions of the Nebraska Political Accountability and Disclosure Act.

Modifies the definition of "candidate" to include an individual who receives a contribution, makes an expenditure, or gives consent for another person to receive a contribution or make an expenditure with a view to bringing about the individual's nomination or election to an elective office, whether or not the specific elective office for which the individual will seek nomination or election is known at the time the contribution is received or the expenditure is made.

Amends the definition of "committee" to mean two or more individuals who receive contributions or make expenditures of over $400 for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election on one or more candidates, or the qualification, passage, or defeat of one or more ballot questions; or a candidate, corporation, or group whose primary purpose is to receive contributions or make expenditures and receives or makes more than $400 in contributions or expenditures, for the purpose of influencing or attempting to influence the action of the voters in regard to the nomination or election of candidates or the adoption of measures on the ballot. Defines "independent committee" as a committee other than a candidate, ballot question, or political party committee.

Requires each committee to have a treasurer who is a qualified elector of the state. Permits a candidate to appoint himself or herself as the candidate committee treasurer. Directs each committee to designate one account in a financial institution in the state as an official depository for the purpose of depositing all contributions which it receives and making all expenditures. Secondary depositories shall be used for the sole purpose of depositing contributions and promptly transferring the deposits to the committee's official depository.

Specifies that when any of the information required in a statement of organization is changed, such change is to be reported when the next campaign statement is required to be filed.

Provides that the second preelection campaign statement shall be filed not later than the tenth (formerly, fifteenth) day before the election. The closing date for this statement is the fifteenth (formerly, twentieth) day before the election.

States that if a committee did not raise, receive, or expend more than $1,000, it shall only be required to file a post-election campaign statement, which statement need only indicate that fact. After the committee raises, receives, or expends in excess of $1,000, it shall then file the campaign statement next due and all statements that are due thereafter.

Specifies the campaign statements to be filed by a ballot question committee.

Provides that a copy of the campaign statement of a district political party committee is to be filed with the election commissioner or, if there is no election commissioner, the clerk of the most populous county in the district. A copy of the campaign report of a county committee shall be filed with the election commissioner or, if there is no election commissioner, the clerk of that county. A copy of the campaign statement of any other committee not covered under sec. 49-1464 of the Revised Statutes of Nebraska shall be filed with the election commissioner or, if there is no commissioner, the clerk of the county of residence of a majority of the candidates for whom it made expenditures.

Provides that any corporation, labor organization, or industry, trade, or professional association without being a committee may make expenditures or provide personal services. It shall not be required to file reports of independent expenditures pursuant to sec. 49-1467 of the Revised Statutes of Nebraska, but shall file a report with the accountability and disclosure commission within ten days after the end of the calendar month in which any expenditure is made or personal service provided. Specifies that a corporation, labor organization, or industry, trade, or professional association may not receive contributions unless it establishes a separate segregated political fund which may be used only for the purpose of receiving such contributions and making expenditures in the manner provided for. Prohibits the corporation, labor organization, or association establishing and administering the separate segregated political fund from making any expenditure to the fund, except that it may make expenditures and provide personal services for the establishment and administration of the fund. All contributions to and expenditures from the separate segregated political fund are to be limited to money or anything of value obtained through voluntary contributions of the employees, officers, directors, stockholders, or members of the corporation, including a nonprofit corporation, labor organization, or industry, trade, or professional association and the affiliates thereof. Only expenditures to candidates and committees and independent expenditures may be made from such fund. Such a separate segregated fund is declared to be an independent committee and subject to all provisions of the campaign finance laws that are applicable to independent committees, and the corporation, labor organization, or industry, trade or professional association which establishes and administers the fund shall make the reports and filings required therefor.

Specifies that a candidate committee shall not make a contribution to or an independent expenditure in behalf of another candidate committee, except that a candidate committee may make a contribution to another candidate committee for a fund raising event of such other candidate committee.

Provides that no person or committee shall print, publish, or distribute in quantity campaign advertising which contains any statement, notice, or other material concerning a candidate, political party, or ballot question, without

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also printing theron the name of the person or committee responsible therefor. Specifies that this requirement is not applicable to windshield stickers, yard signs, bumper stickers, or to official ballot pamphlets, or cards containing only biographical and other factual information relating to a candidate and printed or reproduced at the request of that candidate or his candidate committee.

OHIO

SB 251, Approved 4/2/80

Provides that a vacancy in the Ohio elections commission (which enforces the campaign finance laws) may be caused by death, resignation, or three absences from commission meetings in a calendar year, if such absences are caused by reasons declared insufficient by a majority vote of the remaining members of the commission. Specifies that no person may hold or be a candidate for any public office or serve on a committee supporting or opposing any issue or proposition at the time he takes office or during the time he serves as a member of the commission.

Amends the provision relating to identification of campaign advertising so as to specify that no person is to write, print, post, or distribute a notice, placard, advertisement, sample ballot, or any other form of general publication which is designed to promote the adoption or defeat of any issue, to promote the nomination or election or defeat of a candidate, or to influence the voters in any election, or make an expenditure for the purpose of financing political communications unless there appears on such form of publication the name and residence or business address of the chairman, treasurer, or secretary of the organization issuing the same, or the person who issues, makes, or is responsible therefor. Provides that the disclaimer "paid political advertisement" is not sufficient to meet this identification requirement. When an advertisement is issued by the regularly constituted central or executive committee of a political party, it shall be sufficiently identified if it bears the name of the committee and its chairman or treasurer. Specifies that the identification requirement does not apply to the transmittal of personal correspondence that is not reproduced by machine for general distribution. Authorizes the secretary of state to exempt from the identification requirement printed matter and printed communications such as campaign buttons, balloons, pencils, or like items, the size or nature of which makes it unreasonable to add an identification or disclaimer.

States that campaign communications by radio need not broadcast the residence or business address of the chairman, treasurer, or secretary of the organization responsible for the advertisement. However, a radio station must keep the residence or business address on file for six months and divulge it to any person upon request. Prohibits a person operating a broadcast station or any organ of printed media from broadcasting or printing any paid political communication that does not contain the required identification.

Prohibits anyone during a campaign from purposely making a statement that a candidate has been indicted for any crime without disclosing the outcome of any legal proceedings resulting from the indictment. Also prohibits the publication and distribution of a written or printed false statement concerning a candidate by a person if he either knows the statement to be false or acted with reckless disregard of whether it is false or not.

Provides that in any action before the Ohio elections commission, if the alle-

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gations of the person who filed an affidavit are not proved, and the commission seeks neither civil nor criminal relief in court, the commission may find that the complaint is frivolous, and order the complainant to pay costs.

Prohibits certain conduct during the course of any campaign in advocacy of or in opposition to the adoption of any proposition or issue submitted to the voters. Among the prohibited conduct is the following: serving, or placing another person to serve, as an agent or employee in the election campaign organization of a committee which advocates or is in opposition to the adoption of any ballot proposition or issue for the purpose of acting to impede the conduct of the campaign on the proposition or issue or of reporting information to the employee's employer or the agent's principal without the knowledge of the committee; falsely stating the endorsement of or opposition to a ballot proposition or issue by a person or publication; publishing or distributing a false statement, either knowing the same to be false or acting with reckless disregard of whether it was false or not, that is designed to promote the adoption or defeat of any ballot proposition or issue.

SOUTH DAKOTA

SB 106, Approved 2/8/80

Prohibits the imposition of filing fees for the filing of statements of contribution and financial interest in the office of secretary of state.

HB 1070, Approved 2/19/80

Prohibits any information that is obtained from any report or statement filed with the secretary of state pursuant to chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) from being sold or used by any person for the purpose of soliciting contributions, or any commercial purpose. Specifies that the prohibition on use for a commercial purpose does not include the sale of newspapers, magazines, books, or other similar communications, the principal purpose of which is not to communicate lists or other information obtained from a campaign finance report.

HB 1144, Approved 2/19/80

Permits municipalities and counties to make the provisions of chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) applicable to municipal elections.

WYOMING

HB 114, Chapter 31, Approved 3/5/80

Repeals the provision which required suppliers of campaign advertising to file post-election reports of the type, cost, and quantity of advertising supplied, and the names of the persons or committees paying for the advertising.

SECTION III - FEDERAL LEGISLATION

SYNOPSIS OF MAJOR FEDERAL LEGISLATION - 96TH CONGRESS

Campaign Financing - Public Financing

Presently, public financing is available to presidential candidates in both primary and general election campaigns. As special interest contributions toward congressional elections escalate, so interest in public financing grows. Proposals to extend public financing to congressional candidates have been introduced in every Congress since the 93rd Congress. In the 96th Congress, both the House and the Senate have introduced public financing bills.

S. 623, introduced by Senator Kennedy, has been co-sponsored by Senators Mathias, Cranston, Stafford, Tsongas, Cohen, De Concini and Biden. S. 623 provides for voluntary public financing of general elections to the U.S. Senate. To receive federal money, candidates would agree on limiting expenditures for any one campaign to $250,000 plus 10 cents multiplied by the voting age population of the appropriate state; raise at least $100,000 or 10% of allowable total of campaign expenditure from individuals contributing $100 or less; receive at least 80% of total contributions from residents of their own state; and expend not more than $35,000 of their own personal funds toward the campaign. Funds would be matched in increments of $10,000 until the amount of campaign funds total the agreed on spending ceiling for that state. S. 623 also specifies certain conditions where all candidates in a specific race would be relieved of their limited expenditure promises.

S. 1339, introduced by Senator Stone, is another public financing bill. In this bill the public financing aspect would be activated only when any candidate in a particular election campaign for the U.S. Senate accepts contributions which exceed the contribution threshold of $250,000 plus 10 cents multiplied by the voting age population of the respective state.

Public financing was a big issue in the House and had been given the symbolically important designation H.R. 1 by the House leadership. H.R. 1 was introduced by Representative Mikva and had been co-sponsored by 150 House members. H.R. 1 provided for voluntary public financing of general elections to the House of Representatives. To receive federal money, candidates would agree on a spending ceiling of $150,000 plus $15,000 for one mailing within a district; raise at least $1,000 on their own from individuals contributing $100 or less; receive at least 80% of total contributions from residents of their own state; and expend not more than $25,000 out of their own pockets toward the campaign. Funds would be matched in $10,000 increments up to $60,000, not exceeding, in the aggregate, $180,000 for all candidates. In the event that a candidate chose not to accept public money and to spend more than $25,000 of his or her personal funds or $75,000 overall, H.R. 1 would relieve all candidates in that race of their spending ceiling promises and they would be eligible to receive additional federal funds. Hearings for H.R. 1 were held on March 15, 20, 21, 22 and 27, 1979, by the House Administration Committee. The bill was voted down by the committee on May 24, 1979. A roll call vote to report the bill out of committee without approval, was also defeated. A motion to reconsider the bill was approved unanimously by the committee on May 24, 1979.

H.R. 2221, introduced by Representative Pease, is a combination of H.R. 1 and another bill which specifies the tax check-off system that provides the money for public financing. H.R. 564, introduced by Representative Mazzoli, is basically a more economical version of H.R. 1. The spending ceiling is $125,000 per campaign with a matching payment limit of $51,000 and a $150,000 aggregate payment limit to all candidates in an election.

H.R. 496, introduced by Representative Howard, has a spending ceiling of $100,000; requires that total campaign contributions exceed $10,000 with the aggregate of individual contributions not exceeding $100; prohibits candidates from expending more than $10,000 in personal funds; limits total amount of payments per candidate to $50,000 with a limit of $100,000, in the aggregate, to all candidates in one campaign. If any candidate exceeds money limits, all of the candidates in that campaign are relieved of expenditure limitations.

Though H.R. 2849, introduced by Representative Maguire, provides for public financing of congressional campaigns, dollar amounts throughout the bill are given only for the House. To be eligible to receive payments under H.R. 2849, House candidates must have received at least $7,500 in contributions, agree to limit expenditures to $125,000 in a primary or general election campaign and agree to certain record keeping and auditing requirements. The bill also limits the total amount of public funds received by one candidate to be not more than 50% of the expenditure limitation.

Electoral College Reform

Currently, the President and Vice President are not elected by direct popular vote, but are instead chosen by the Electoral College which is basically composed of individuals who are elected and convene in their own states. Under the practice followed in most states, the presidential candidate whose party receives a plurality of the popular vote is awarded all of the electoral votes of that state. The number of electoral votes to which each state is entitled equals the number of Representatives and Senators which the state has in Congress. The "winner take all" aspects of the Electoral College System often result in a presidential candidate receiving an electoral vote total which does not reflect the popular vote received by the presidential electors.

As in past Congresses, several proposals have been introduced during the 96th Congress to change the method of electing the President and Vice President. Some of the proposals would retain the present electoral vote system, but with certain changes so that the electoral vote would be more reflective of the popular vote received by the candidate. Other proposals would totally eliminate the electoral vote system and would elect the President and Vice President by direct popular vote.

S.J. Res. 1 and an identical S.J. Res. 28, introduced by Senator Bayh, proposed the direct election of the President and Vice President. S.J. Res. 28 was placed on the Senate calendar on February 22, 1979, bypassing committee action. Later, it was agreed that the proposed amendment would go to the Judiciary Committee for hearings (to give its six new members time for study), be reported back to the Senate during April and be called up for Senate action by the majority leader any time after June 1, 1979. Hearings were held March 27, 30, April 3rd and 9th. Senate Rept. No. 96-111 was submitted by the Judiciary Committee. The Senate considered S.J. Res. 28 on June 21, 26, 27, and July 9. The resolution failed to pass the Senate on July 10, 1979.

The House has introduced a total of eighteen "direct" election proposals. The majority of these proposals require a team (consisting of a candidate for President and a candidate for Vice-President) to win 40% of the vote in order to win the election; if the required percentage is not attained, the majority of the proposals specify that a run-off election must be held. S.J. Res. 51, introduced by Senator Cannon, H.J. Res. 88, introduced by Representative Vander Jagt, and H.J. Res. 125, introduced by Representative Ashbrook, propose a "proportional" plan where the electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received. H.J. Res. 106, introduced by Representative Fuqua, H.J. Res. 207, introduced by Representative Conable, and H.J. Res. 549 introduced by Representative Derwinski, propose the "district" plan where the electoral college is preserved but where the electors would be chosen by the voters from districts created within the state. S.J. Res. 48, introduced by Senator Bayh and H.J. Res. 223, introduced by Representative Bingham, propose the "automatic" plan where the Electoral College would be abolished but where the electoral votes of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state (see analysis of the Electoral College at the end of Section II - Federal Legislation, for more information).

Free Mailing of Absentee Ballots

Hearings were held on March 13, before the Post Office and Civil Service Committee's Subcommittee on Postal Operations and Services, on proposed legislation to permit the free mailing of absentee ballots for federal offices. The four proposals include: H.R. 4759, introduced by Rep. Bonker, which would provide for the free mailing of absentee ballots from an individual to an election agency; H.R. 4773, introduced by Rep. Tauke, and H.R. 4843, introduced by Rep. Corcoran, which provide for the free mailing of absentee ballots from an individual to an election agency and vice versa; and H.R. 5529, introduced by Rep. Spellman, which calls for the free mailing of absentee ballots from an individual to an election agency as well as providing for third-class postage rates for certain registration materials sent to an individual from an election agency and vice versa. None of the bills would allow free postage to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975.

SENATE MEASURES

S. 16 1/15/79 Weicker Rules and Administration

"Presidential Primary Act"

PRIMARY ELECTIONS - PRESIDENTIAL:
- Provides that a nationwide Presidential primary be held in each state on the 1st Tuesday in August of each Presidential election year;
- Voters may vote only for the candidates of the voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- If there is no provision for registering for party affiliation in a state, voters shall follow the procedure prescribed by the Attorney General in registering their party affiliation for this primary;
- The results of the primary shall be transmitted to the President of the Senate within 5 days, and 5 days after received the results shall be published in the Congressional Record;
- To qualify as a candidate, an individual must file a petition by June 30 with a required number of signatures equaling at least 1% of the total votes cast in the previous Presidential election, but no signature will be accepted from a person who is a member of a different political party from the candidate's party;
- If the winning candidate does not receive 50% of the votes cast for all candidates of his party, a second primary shall be held the 3rd Tuesday following the 1st primary and a run-off shall be between the two party candidates receiving the greatest number of votes;
- If a Presidential candidate dies or resigns before nominating a Vice Presidential candidate, the successor will be nominated by the party convention, or, if both candidates die or resign, new candidates will be chosen by the national party committee composed of a delegation of each state;

CONTRIBUTIONS & EXPENDITURE LIMITATIONS:
- Limits federal campaign contribution and expenditures to the year in which a federal election is held;

S. 21 1/15/79 Weicker Finance

CAMPAIGN FINANCING - PUBLIC FINANCING - PRESIDENTIAL CAMPAIGNS:
- Repeals public financing provisions for Presidential primary and general election campaigns;

S. 22 1/15/79 Proxmire Commerce, Science and Transportation

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:
- Repeals the following sections of the Communications Act of 1934:
  (1) Section requiring broadcast stations to permit a legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy;
  (2) Section requiring broadcast stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time;
  (3) Section prohibiting political editorials by broadcast stations;

S. 217 1/25/79 Proxmire Banking, Housing & Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:
- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

S. 291 1/31/79 Ribicoff Governmental Affairs

"Voters Information Act of 1979"

INFORMATION ON ELECTIONS - POST OFFICE LISTING:
- Provides for posting information in post offices with respect to registration, voting and communicating with lawmakers at the federal and state levels;

S. 392 2/8/79 Cohen et al. Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Requires that efforts be made to locate polling and registration places for federal elections which are readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by an elevator;
- Requires filing of a report with the Attorney General 60 days before election or close of registration when standards prescribed are not met;
- States which have established equivalent building standards are not required to comply;

S. 392 cont.

- Alternative methods of voting provided when standards prescribed are not met: 1) selection of an alternative polling place within the same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing the right to vote;
- Alternative methods of registration must be enacted if requirements are not met;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) written instructions and directions must be posted at each polling and registration place sufficient to provide deaf individuals with adequate information; 3) individual must be allowed to select another individual to accompany him to the polls;
- Attorney General may institute in the name of the U.S. any action in U.S. district court which will assure implementation of this Act;

S. 596 3/8/79 Danforth et al. Governmental Affairs

"Congressional Anti-Gerrymandering Act of 1979"

APPORTIONMENT AND REDISTRICTING:
- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. § 2a) as follows:
- Provides that each state establish a five member redistricting commission, appointed as follows:
    1. Partisan bicameral legislature--the following people will each appoint one member:
        a. majority leader of the state senate
        b. speaker of the state house
        c. minority leader of the state senate
        d. minority leader of the state house
    2. Nonpartisan bicameral legislature--leader of each house will appoint two members
    3. Partisan unicameral legislature--the majority leader and the minority leader appoint two members
    4. Nonpartisan unicameral legislature--leader of legislature appoints four members; no more than two may be members of the same political party after consultation with leaders of state political parties
    5. The fifth member shall be the chairman of each state commission and shall be chosen by the other four members
- Redistricting commission will establish a number of districts equal to number of Representatives entitled, using the following standards:
    1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than 2% from the quotient obtained by dividing the population of the state by the number of Representatives entitled
    2. Boundaries of each district will be composed of convenient contiguous territory and will be compact

S. 596 cont.

    3. Boundaries may not be drawn to favor a political party, incumbent or other individual, nor to dilute the voting strength of any language or racial minority group

- Specifies that this Act will not supersede any section of the Voters' Rights Act of 1965;
- Specifies that the commission will conduct a public hearing in preparing a plan in setting up district boundaries;
- Provides that, not later than sixty days after publication of the district plan, any person meeting the qualifications of a voter for a member of the House of Representatives can challenge the apportionment in the district court;
- Specifies that the U.S. district court will have exclusive jurisdiction, appeals must be filed within thirty days after decisions and the Supreme Court will hear appeals as soon as practicable;
- Specifies that the redistricting commission cease to exist after the redistricting plan is put into effect;
- Provides criteria to be followed to elect Representatives until a state is redistricted in a lawful manner after any apportionment;
- Stipulates that the Federal Election Commission will provide reasonable costs incurred by state commissions while carrying out this Act;

S. 597 3/8/79 Bayh Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:

- Similar to S. 392 except that it does not specify special provisions for deaf people and does include braille ballots as an alternative method for blind persons;

S. 623 3/12/79 Kennedy et al. Rules and Administration

"Senate Election Reform Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:

- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIGIBLE FOR MATCHING FUNDS:

- Commission must certify the eligibility of candidates to the Secretary of Treasury within 48 hours after a candidate files a request;
- Certifies to Federal Election Commission (FEC):
    1. To expend not more than $250,000 plus 10 cents multiplied by the voting age population of appropriate state
    2. That $100,000 or 10% of allowable total of campaign expenditure (whichever is smaller) have been received for candidate
- Agrees with FEC:
    1. To furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by the Commission
    3. To receive only contributions approved of in 2 U.S.C. 441a

S. 623 cont.

4. To expend not more than $35,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTION RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan, subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contributions exceed $100 shall not be taken into account;
- Contributions received before September 1st immediately preceding general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $100,000 or 10% of allowable total of campaign contributions;
- In increments of $10,000 until the total amount of contributions received by him and matching payments made previously add up to the agreed spending ceiling for that state;
- At least two candidates have qualified for the election ballot in that state;
- Non-state contributions will not be matched if such contributions exceed 20% of aggregate matchable contributions;
- If full amount of entitlement is not available in account, amount remaining will be prorated;
- Payments can be used only to defray election cost for the election for which they were received and cannot be used to repay loans or make payments in any amount to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If any other candidate in the same election:
  1. Fails to file a declaration of whether he intends to abide by expenditure limitations within 90 days of election
  2. Notifies Commission within 60 days before an election that there are reasons to believe expenditure limitations will be exceeded
  3. Notifies Commission and all other candidates in election within 48 hours after expenditure limitation has been exceeded
- Additional amount entitled cannot exceed 50% of the amount of expenditure limitation and will be based on contributions received after date expenditure limitation was suspended;
- If independent expenditures are made or costs of communication aggregate more than one-third of the limitation on expenditures, the Commission will suspend the limitation on expenditures;

SENATE GENERAL ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

CONTROLS AND ENFORCEMENT:
- Commission will conduct examination and audit campaign expenditures of all candidates after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 704 3/21/79 Dole Rules and Administration

ELECTION OFFENSES - STATUTE OF LIMITATIONS:
- Amends Federal Election Campaign act of 1971 changing the statute of limitation from three years to four years;

S. 714 3/21/79 Stevenson Rules and Administration

"Campaign Contributions Act of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Prohibits multicandidate political committees from contributing to the campaign of a candidate for federal office;
- Stipulates candidate to the House of Representatives may receive $5,000 for a campaign by the committee of a political party;

S. 832 4/5/79 House Administration

ACTION: 3/29/79 - Reported from Com., S. Rept. 96-53
4/4/79 - Passed Senate
4/5/79 - Referred to House Administration Com.
8/2/79 - Reported from H. Comm., H. Rept. 96-408 Supp. Rept. 9/12/79
10/17/79 - Passed House Amended
10/17/79 - House asked for a conference

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC;

S. 964 4/10/79 Packwood et al. Rules and Administration

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:
- Establishes five regional Presidential preference primary elections, the first to be held in March and the last in July of each Presidential election year;
- Individuals generally recognized in national news media as candidates, unless they sign an affidavit to the contrary, will appear on the ballot, as well as any candidate who files a nomination petition signed by 1% of the registered voters of the region, or who pays a $10,000 filing fee;
- Regional primary will be held in each state which chooses to hold a primary;
- Voters may vote only in primary of their registered party affiliation;
- Candidate receiving 5% or more of votes to appoint number of convention delegates proportionately to number of votes received, and delegates generally bound to vote for that candidate;
- FEC to administer primaries;

S. 994 4/24/79 Pell Rules and Administration
ACTION: 5/8/79 - Reported from Rules and Administration S. Com.
No written report
5/10/79 - Passed Senate

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC;

S. 1052 5/1/79 Hayakawa et al. Judiciary

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

S. 1339 6/13/79 Stone Rules and Administration

"Senate Campaign Contribution Reduction Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIBIGLE FOR MATCHING FUNDS:
- Certifies to Federal Election Commission (FEC):
    1. Candidate is the nominee of a major party for U.S. Senate'
    2. Candidate received at least 25% of total votes cast in either of the two most recent general elections for U.S. Senate in same state as is now a candidate, or
    3. Candidate is seeking election and has accepted contributions of not less than 10% of the contribution threshold
- Agrees with FEC:
    1. To keep and furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by the Commission

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Contribution threshold is designated as $250,000 plus 10 cents multiplied by the voting age population of the respective state;
- No payment to be made to any candidate until Commission determines that at least one candidate has accepted contributions in excess of contribution threshold at which time payments to all other eligible candidates in that race will be as follows:
    1. Candidates who have not accepted excess contributions are entitled to an amount equal to the amount by which the candidate who has accepted the greatest amount of contributions exceeds the threshold
    2. Candidates receiving contributions in excess of threshold are entitled to amount equal to 10% of threshold where another candidate has accepted the greatest amount of contributions by an amount in excess of 10% of threshold

S. 1339 cont.

3. No candidate will be paid in the aggregate more than 50% of the contribution threshold
4. All contributions accepted on behalf of a candidate will be considered to be contributions accepted by the candidate
5. Commission is required to certify eligible candidates to the Secretary from time to time allowing them to be paid amounts due in increments of not less than $10,000

REPORTING REQUIREMENTS:
- Candidates whose contributions exceed threshold are required to notify Commission and all other candidates in same election within 48 hours;
- Candidate must file a declaration with the Commission whether he/she intends to accept contributions in excess of the threshold either when he/she qualifies for election or 90 days before election (whichever is earlier);
- Candidates must notify the Commission not later than 60 days before election if there is reason to believe that excess contributions will be accepted unless candidate filed a timely declaration that he/she intended to exceed threshold;

SENATE CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- If Secretary of Treasury determines there are insufficient amounts of money to pay full entitlement to eligible candidates, the Secretary must notify all eligible candidates by registered mail of the pro rata amount which will be available;

CONTROLS AND ENFORCEMENT:
- Commission will conduct examination and audit campaign expenditures of all candidates receiving payments after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 1414 6/26/79 Goldwater Governmental Affairs
ACTION: 8/2/79 - Reported from Comm., S. Rept. 96-303
2/28/80 - Indefinitely postponed

GOVERNMENT EMPLOYEES - CREDIT FOR SERVICE:
- Provides that a congressional employee who is otherwise entitled to a separation annuity and who has been continuously employed by the same member of Congress for six years before the member separated from service as well as six years following the separation, will be entitled to credit for service for period that member was separated under the following conditions:
  1. The member was a candidate of a political party for office of President but not simutaneously a candidate for the Senate or House
  2. Member was not elected to office of President
  3. Employee was continuously employed by former member during entire period of members separation from Congress
  4. Member was not separated from Congress for more than five years

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S. 1700 8/3/79 Kennedy et al. Rules and Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:

- Amends the Federal Election Campaign Act in the following ways:
- Prohibits non-party multicandidate political committees from making contributions to a candidate for the Senate which exceed the following amounts in any calendar year:
  1. $5,000 - general or special election and primary election relating to such general or special election
  2. $7,500 - general or special election and both a primary and a runoff election relating to such general or special election (not more than $5,500 for one election)
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
  1. Worth more than $1,000
  2. For period of more than 30 days after date on which such goods or services are furnished

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S. 1757 9/17/79 Pell Rules and Administration

ACTION: 9/17/79 - Reported from Comm., S. Rept 96-319
12/18/79 - Indefinitely postponed (See H.R. 5010 which was amended by Senate)

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:

1. Contributions
   - The present exemption granted to legal and accounting services contributed to the national committee of a political party is extended to all political party committees;
   - Does not include vendor expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate;
2. Contributions and Expenditures
   - Does not include, among other things, certain residential use costs, volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; the unreimbursed payment by a delegate or candidate for delegate to a convention or caucus of a political party for costs incurred in connection with such activities; funds given by a political party to pay expenses of delegate or candidate for delegate to a political party caucus or convention; expenses of political party incurred in sponsoring a caucus or convention

of the party; certain payments made by political party committees for campaign materials used in volunteer activities (e.g., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), if such payments are made only with funds not designated for a particular candidate; certain payments for costs of voter registration and get-out-the-vote activities of a political party;

3. Expenditure
   - Does not include legal and accounting services contributed to any political party (changed from national committee of a political party);
   - Provides that cancelled checks would be prima facie evidence of an expenditure having been made;
4. Political Committee
   - Exempts from the definition of political committee any state or local committee of a political party which does not receive in a calendar year contributions aggregating more than $5,000;

POLITICAL COMMITTEES:

- Provides that, if candidate for federal office chooses not to designate a committee to serve as principal campaign committee, the Commission must be notified that such individual will not authorize any political committee to receive contributions or make expenditures on his behalf;
- Provides that the principal campaign or authorized committee of a candidate must include the name of candidate in its title (all other political committees for that candidate are prohibited from including name of candidate);
- Provides that candidate will not be liable for the debts of his principal campaign committee;
- Provides that, in order to qualify as a multicandidate committee, a political committee must have made contributions to five or more candidates for federal office in amounts aggregating at least $250 each;
- Provides that, when any Presidential or Vice-Presidential candidate designates the national committee of a political party as his principal campaign committee, all contributions to the political committee of that national committee will be limited to $1,000 per individual and $5,000 per multicandidate political committee;
- Provides that only one of the following methods may be used by a national committee of a political party to make expenditures in connection with a general election campaign of a Presidential candidate of that party up to the greater of $20,000 or two cents multiplied by the voting age population of that state:
  1) The state committee of a political party make such expenditures; or
  2) The national committee of a political party may designate one political committee in each state which will be authorized to accept contributions and to make expenditures;

REPORTING REQUIREMENTS:

- Requires candidates and their principal campaign committee to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);

S. 1757 cont.

- Raises the threshold above which contributions and expenditures would have to be reported to $200;
- Provides that independent expenditures expressly advocating the election or defeat of a clearly identified candidate need be reported only when expenditure exceeds $250 within a calendar year;

FEDERAL ELECTION COMMISSION:

- Provides that the Commission may employ or appoint counsel without regard to the provisions of Title 5 U.S.C. to appear in and defend against any action instituted under this Act;
- Provides that no candiate for election or for nomination for election to the Senate or the House of Representatives will be audited on a random basis more than once in any election cycle;

MISCELLANEOUS:

- Provides that reports and statements filed with the FEC may not be sold or utilized for the purpose of soliciting contributions but that the name and address of any political committee may be utilized for the purpose of soliciting contributions from such committee;
- Provides that under certain conditions a corporation may approve the solicitation or contributions by trade associations from the stockholders and executive or administrative personnel of the member corporations of such trade associations;
- Provides that a delegate or candidate for delegate to a convention or caucus of a political party which will nominate candidates for federal office will be deemed as a candidate for election to federal office as concerns limitations contributions, expenditures and reporting requirements--requires such delegates report expenses and contributions which exceed $2,500 (exclusive of travel and subsistance);

S. 1758 9/17/79 Levin et al. Governmental Affairs

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENTAL EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:

- Amends Title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Service or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;

S. 1758 cont.

- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

S. 2074 12/4/79 Levin Governmental Affairs

BALLOTS - ABSENTEE:
- Provides that requests for absentee ballots within free of postage envelopes will be made available to the general public by the U.S. Postal Service;
- Provides that the U.S. Postal Service will also make free of postage envelopes available to election agencies to be used by persons requesting absentee ballots;
- Provides that free postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

S. 2272 2/7/80 Weicker Judiciary

"Public Prosecutor Act of 1980"

ETHICS - PUBLIC PROSECUTOR, ESTABLISHING POSITION:
- Establishes the Office of Public Prosecutor and Deputy Public Prosecutor, detailing jurisdiction, powers, and relationship with the Attorney General;
- Includes, among others, the national campaign manager or chairman of any national campaign committee for the election of the President and any officer or employee of the Senate or the House of Representatives designated under the rules of the respective body to handle campaign funds as being within the jurisdiction of the Public Prosecutor with respect to any matter involving the violation of serious federal criminal law;

S. 2325 2/21/80 Helms Rules and Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:
- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions;
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as a condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

S. 2366 2/28/80 Huddleston et al. Governmental Affairs

APPORTIONMENT - CENSUS:
- Provides that methods and procedures be used which will assure that illegal aliens not be counted in the decennial censuses for the following reasons:
  1) To prevent the loss of congressional representation of many states by including illegal aliens in the reapportionment base for the House of Representatives
  2) To prevent the citizens and legal residents of many states from receiving less than their proportionate share of federal assistance programs which are distributed completely or partially on population figures

S. 2648 5/2/80 Pell Rules and Administration
ACTION: 5/2/80 - Reported from Com., S. Rept. 96-679
5/9/80 - Passed Senate
5/12/80 - Passed House amended
5/16/80 - Senate agreed to House amendment
5/29/80 - Public Law 96-253

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC for the fiscal year ending September 1981;

S.J. Res. 33 2/5/79 Hatfield et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate to directly initiate or repeal laws passed by Congress, through petition and ballot;

S.J. Res. 33 cont.

- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by 3% of electorate in at least ten states; the total number of signatures must total 3% of the nation's electorate;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of 2/3 of the members of the House and Senate;

S. Res. 236 9/18/79 Hatfield et al.

CANDIDATES - DEBATES - FUNDING:
- Provides that Senate disapproves of regulations proposed by the Federal Election Commission relating to the funding and sponsorship of candidate debates;

S. Res. 378 2/27/80 Pell Rules and Administration
ACTION: 2/27/80 - Reported from Com., S. Rept. 96-595

CANDIDATES - CAMPAIGN INFORMATION:
- Provides that a compilation of materials of Senate campaign information, including federal and state laws governing election to the U.S. Senate entitled "Senate Election Law Guidebook - 1980," be printed as a Senate document;

H.R. 1 1/15/79 Mikva et al. House Administration
ACTION: 3/15, 20, 21, 22 & 27 - Hearings before full committee

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CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within 48 hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
    1. To furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by the Commission
    3. To receive only contributions approved of in 2 U.S.C. § 441a
    4. To expend not more than $150,000 in campaign
    5. To expend not more than $25,000 of personal funds or funds of any member of the immediate family in the campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan, subscription, advance, deposit or contributions of products or services shall not be taken into account;
- Contributions received from any entity other than an individual shall not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before Jan. 1st of a general election year or after date of the election shall not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;
- Additional matching payments not exceeding 40% of $150,000 (expenditure limitation) to be paid in increments of $10,000;
- At least two candidates have qualified for the election ballot in the state;
- Non-state contributions will not be matched if such contributions exceed 20% of aggregate matchable contributions;
- Aggregate payments to all candidates in an election shall not exceed three times the maximum amount payable in matching funds;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

H.R. 1 cont.

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditures for the opposing candidate is removed and he is eligible to receive additional matching funds;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission shall suspend the limitation on expenditures;
- One campaign mailing allowed which is not included when totaling expenditures at least two weeks prior to election not exceeding 10% or $150,000;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in account;

CONTROLS AND ENFORCEMENT:
- After each general election the Commission will audit 10% of randomly selected eligible candidates;
- If four Commission members vote that a reason exists for believing that violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit shall be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 69 1/15/79 Bennett House Administration

CANDIDATES - EXPENDITURES:
- Requires sufficient funds be maintained in candidate or political committee checking account to cover all expenditures at the time the expenses occur;
- No person may provide services or goods to a candidate or political committee prior to payment by the receiver;

H.R. 72 1/15/79 O'Brien House Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Requires efforts be made to locate polling and registration places for federal elections readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by elevator;
- Requires filing of report with Attorney General 60 days before election or close of registration when standards prescribed not met;
- States having established equivalent building standards not required to comply;

H.R. 72 cont.

- Alternative methods of voting provided when standards prescribed not met: 1) selection of alternative polling place within same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing right to vote;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) individual must be allowed to select another individual to accompany him to the polls or braille ballots must be available; or 3) any other alternative method guaranteeing the right to vote;
- Attorney General may institute in name of U.S. any action in U.S. district court which will assure implementation of this Act;

H.R. 125	1/15/79	Bennett	House Administration

"Regional Presidential Primaries Act of 1979"

PRIMARIES - PRESIDENTIAL - REGIONAL:
- Establishes six regional Presidential preference primaries beginning in March and ending in June;
- Voters may vote only for the candidates of voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- Ballots to select convention delegates must indicate name of party candidate;
- In order to receive matching payments of public funds for primary campaign, candidate must agree to appear on ballot of at least one state in each of six regions;

H.R. 319	1/15/79	Fish	House Administration

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Substantially the same as H.R. 72 except it does not specifically mention providing braille ballots for those unable to operate the voting machine;

H.R. 364	1/15/79	Gradison	Post Office and Civil Service

FRANKING PRIVILEGE:
- Prohibits any mass franked mailings by a Senate or House Member 60 days before a primary for the public office held by the member (regardless of whether the member participates in the primary) or 120 days before a general or special election in which the member is a candidate;

H.R. 496 1/15/79 Howard House Administration

"House of Representatives Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants not later than ten days after application;
    1. That campaign expenditures will not exceed $100,000
    2. That candidate has qualified to have name on election ballot
    3. That the aggregate of contributions toward campaign exceed $10,000; the aggregate of individual contributions within $10,000 total does not exceed $100
- Agrees with FEC:
    1. To obtain and furnish evidence requested by FEC pertaining to campaign expenses
    2. To keep and furnish to FEC records of date and amount of contribution, full name and address of contributors
    3. Agree to audit by FEC and abide by decisions which may result including reimbursement of matching payments made through error or fraud
    4. That the aggregate of candidates' personal funds expended in campaign does not exceed $10,000

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Equal to amount of each contribution except:
    1. Contributions received from individuals which exceed $100
    2. Any personal funds of candidate used in campaign
    3. Total amounts of payments cannot exceed $50,000 for individual candidate
    4. The aggregate amount of payments to all candidates in one campaign for an elective office cannot exceed $100,000
- Contributions received before Jan. 1st of general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- At least two candidates have qualified for the election ballot in state;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs and loans incurred for the election for which they were received;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If any candidate exceeds the expenditure limits set in this bill, the FEC will notify the opposing candidates for that office of the inapplicability of the expenditure limitation for the remainder of the campaign for all candidates for that office;

HOUSE OF REPRESENTATIVES ELECTION PAYMENT ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

H.R. 496 cont.

- Secretary notifies FEC by June 1st in biennial general election year amount to be available in Account;
- FEC will transmit to the Secretary by July 1st a formula for prorating payments to candidates if amount in Account will not be sufficient;

CONTROLS AND ENFORCEMENT:
- After each general election the FEC will conduct an audit of campaign contributions raised to obtain matching funds;
- Provides for participation by the FEC in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 548	1/15/79	McCloskey	Judiciary

"Voting Rights Act Repealer Amendments Act of 1978"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude language minority groups;

H.R. 564	1/15/79	Mazzoli	House Administration

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within 48 hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
    1. To furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by Commission
    3. To receive only contributions approved of in 2 U.S.C. § 441a
    4. ** To expend not more than $125,000 in campaign
    5. To expend not more than $25,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before January 1st of general election year or after date of election will not be taken into account;

H.R. 564 cont.

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;
- ** - Not more than 5 matching payments of $10,000 each;
- At least two candidates have qualified for the election ballot in state;
- Non-state contributions will not be matched if such contributions exceed 20% of aggregate matchable contributions;
- ** - Aggregate payments to all candidates in an election must not exceed $150,000
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- ** - If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditure for the opposing candidate is removed and he is eligible to receive not more than 5 additional matching payments of $10,000 each;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission will suspend the limitation on expenditures;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in Account;

CONTROLS AND ENFORCEMENT:
- ** - After each general election the Commission will audit randomly selected campaign accounts;
- If four Commission members vote that a reason exists to believe violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit will be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

** Indicates where this bill differs from H.R. 1

H.R. 1169	1/22/79	Ashbrook	House Administration

"National Primary Election Act of 1979"

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES - REGIONAL:
- Requires state primaries for Presidential and Vice Presidential candidates to be held on 2nd Tuesday in March, April, May or June of every Presidential election year;
- Allows political party to be eligible for separate ballot in primary if party's candidate received 10% of total number of votes cast throughout U.S. in last Presidential election;

H.R. 1169 cont.

- Stipulates candidates qualify only for primary of party of registered affiliation;
- Requires Federal Election Commission to announce publicly tentative list of potential candidates for Presidential nomination of party of affiliation--persons may request admittance or reject inclusion on list;
- Alternative method for gaining admittance on primary ballot is outlined;
- Candidates receiving 10% or more of total vote cast in a state primary will be allocated delegate votes on first ballot at national nominating convention of affiliated party;

H.R. 1294	1/23/79	Drinan	Interstate and Foreign Commerce

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:

- Repeals following sections of Communications Act of 1934:
  - (1) Section requiring broadcasting stations to permit legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy
  - (2) Section requiring broadcasting stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time
  - (3) Section prohibiting political editorials by broadcast stations

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H.R. 1466	1/24/79	Young	House Administration

CANDIDATES - FEDERAL, PRESENT PUBLIC OFFICE RESIGNATION REQUIRED:

- Requires any candidate for a federal elective office to resign any elective public office (federal or state) held, the term of which ends after the beginning of the term of the federal office which such candidate seeks;
- Declares such resignation to be effective as of the beginning of term of office which candidate seeks, and is irrevocable;

H.R. 1516	1/25/79	Leach et al.	Judiciary

CONGRESSIONAL DISTRICTS - APPORTIONMENT:

- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. § 2a) as follows:
- Provides that the legislature of any state may establish by law criteria to meet following standards of apportionment:
  1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than 2% from the quotient obtained by dividing population of state by the number of Representatives entitled

H.R. 1516 cont.

2. Boundaries of each district will, as much as possible, coincide with boundaries of local political subdivisions
3. Each district will be composed of convenient contiguous territory and will be compact
4. Boundaries may not be drawn to favor a political party, incumbent or other individual nor to dilute the voting strength of any language or racial minority group

- Specifies that this Act will not supersede any section of Voters' Rights Act of 1965;
- Specifies that U.S. district courts will have exclusive jurisdiction; appeals must be filed within thirty days after decisions and Supreme Court will hear appeals as soon as practicable;
- Provides that nine months from date a district is established any person meeting qualification of a voter in that district can challenge the apportionment in the district court of that jurisdiction;

H.R. 1783 2/1/79 Erdahl House Administration

CANDIDATES - FILING REPORTS:

- Amends Federal Election Campaign Act of 1971 waiving the filing of certain quarterly reports with the Federal Election Commission;

H.R. 1904 2/8/79 Applegate House Administration

"National Presidential Direct Primary Elections of 1979"

DAY FOR HOLDING ELECTIONS:

- Requires that direct Presidential primary elections be held throughout the United States on the first Tuesday after the first Monday in May of each Presidential election year;

H.R. 1951 2/8/79 Forsythe House Administration, Post Office and Civil Service

ADVERTISING AND SOLICITATION - THIRD-CLASS MAILING:

- Amends Federal Election Campaign Act of 1971;
- Allows federal office candidates in general election to mail campaign materials at reduced third-class mailing rates;
- Third-class mailing may begin on date candidate is nominated or qualifies and end on election date;
- Mailing must be made to addresses located in the geographical area involved in election;

H.R. 1951 cont.

- Allows only one clearly identified candidate per mailing;
- Authorizes appropriations to the U.S. Postal Service equal to difference between revenues received under normal campaign mailing rates;

H.R. 1976	2/8/79	Lent	Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Amends title 39 U.S.C. providing third-class postage rates for qualified county political committees be identical to third-class postage rates of qualified nonprofit organizations;

H.R. 2220	2/15/79	Pease	Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Lowers tax credit for political contributions to Congressional candidates from $25 ($50 joint) to $10 ($20 joint);

H.R. 2221	2/15/79	Pease	House Administration, Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Identical to a combination of H.R. 1 and H.R. 2220 respectively;

H.R. 2340	2/22/79	Glickman	Banking, Finance and Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:
- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

H.R. 2357	2/22/79	Stratton	House Administration

"Free Political Broadcasting Act of 1979"

ADVERTISING AND SOLICITATION - FREE POLITICAL BROADCASTING TIME:
- Provides free radio and television time to eligible candidates for election to Federal office who are of a major party, third party, or minor party and are properly certified;

H.R. 2357 cont.

- Each eligible candidate shall receive free broadcast time as follows:
  1. Presidential or Vice Presidential candidate of major party -- 2 1/2 hours; of third party -- 1 hour; and of minor party -- 30 minutes, with no more than 30 minutes to be used in any 5-day period
  2. Candidate for Senate of major party -- 2 hours; of third party -- 60 minutes; and of minor party -- 30 minutes, with no more than 30 minutes to be used in any 5-day period
  3. Candidate for Representative or Resident Commissioner of major party -- 1 hour, no more than 30 minutes to be used in 10-day period; and of third party or minor party -- 15 minutes, total not to be used in any 10-day period
- Candidate of third or minor party who is an incumbent shall receive the amount of free broadcast time allotted to a major party candidate;
- Free broadcast time shall be used to promote rational discussion and debate of election issues, no more than 25% used to present other than candidate's own remarks;
- No less than 1 minute of free time shall be used in one program, and no more than 15 minutes of free time in any 24-hour period;
- Free broadcast time will be available from 30 days before the election until the close of the day before the election, 75% made available during prime air time;

H.R. 2400	2/26/79	*Clay	Post Office and Civil Service

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Service or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any persons whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;

H.R. 2400 cont.

- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

H.R. 2401	2/26/79	Clay	Post Office and Civil Service

"Federal Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends title 5 U.S.C. removing present prohibitions barring Federal and D.C. employees from taking an active part in political campaigns, except for U.S. Postal Service or Postal Rate Commission employees and certain employees in restricted positions (as designated by the Office of Personnel Management), including employees involved with: foreign intelligence or security, law enforcement, contract or grant administration;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Office of Personnel Management;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office and agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit Systems Protection Board to impose penalties (suspension or removal) for violation of this Act;

H.R. 2401 cont.

- Provides for the Office of Personnel Management and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Office of Personnel Management to study and review the effects of this amendment and report findings to Congress;

H.R. 2653 3/6/79 Hanley Judiciary

"Congressional Districting Act of 1979"

CONGRESSIONAL DISTRICTS - APPORTIONMENT:
- Amends apportionment of Representatives in Congress (2 U.S.C. 2a) as follows:
- Number of Congressional Districts to which each state is entitled will be established by an appointed redistricting commission--each district electing one representative;
- Redistricting commission will consist of five members--none may be officers of federal, state or local government;
- Each of the following will appoint one commission member where a partisan bicameral legislature is in effect in the state: 1) president of senate, 2) speaker of the house, 3) minority leader of senate, and 4) minority leader of the house;
- When nonpartisan bicameral legislature is in effect in the state, leader of each house will appoint two members of commission;
- When unicameral legislature is in effect, leader of legislature will appoint four members of commission after consulting with leaders of political parties in the state;
- The four members appointed by one of these methods will select a fifth member to be chairman, by affirmative vote of at least three members;
- Commission will conduct public hearings on preparation of planned boundaries and submit plan to Federal Election Commission (FEC), which will publish the plan in the Federal Register. Plan becomes effective 45 days after publication;
- Determination of boundaries cannot be made to minimize voting strength of any racial, ethnic, economic group or to favor any political party;
- Districts must be composed of contiguous territory;
- Boundaries of each district must coincide with boundaries of local political subdivision;
- District courts of the United States shall have exclusive jurisdiction to hear and determine any action which shall be heard by a three-judge court with an appeal to the Supreme Court where such cases will have priority on the docket;
- The FEC will administer and distribute to each state funds needed to carry out apportionment;

H.R. 2769 3/8/79 Thomas Judiciary

"Voting Rights Act Repealer Amendments Act of 1979"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

H.R. 2849 3/13/79 Maguire et al. House Administration

"Congressional Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING - CONGRESSIONAL CAMPAIGNS:
- Congressional Election Payment Account established in the Presidential Election Campaign Fund for the payment of qualified campaign expenses incurred by Congressional candidates in primary and general election campaigns;
- To be eligible to receive payments, at least two candidates must qualify for the ballot, candidate must make certain agreements regarding record keeping, auditing and expenditure limitations, and candidate is required to have received the following minimum contributions:
  1. House: $7,500
  2. Senate: (dollar amounts not included in bill)
- Entitlements: Eligible candidates entitled to matching payments equal to amount of contributions from residents of State in which election is held;
- Candidate who is not political party candidate will not be entitled to receive matching payments for primary campaign after the date of the last primary election held by a political party to nominate a candidate for the same office;
- In order to count toward threshold amount of minimum contributions or to be matched, contribution must be made during the calendar year of the election or the year immediately preceding;
- The total amount of public funds which a candidate may receive may not exceed 50% of his expenditure limitation;
- No contribution will be counted toward minimum or will be matched to the extent that it exceeds $100 per contributor;
- FEC must certify all payments and determinations are subject to judicial review;
- If funds in Account are insufficient to pay full entitlement of all candidates, they will receive a pro rata share;
- Criminal penalties prescribed for excess campaign expenditures, unlawful use of payments, false statements to FEC, kickbacks or making illegal payments;

EXPENDITURE LIMITATIONS:
- Candidates receiving public funds must agree to the following expenditure limitations:
  1. Senate:
     a. Primary (dollar amounts not included in bill)
     b. General Election (dollar amounts not included in bill)

H.R. 2849 cont.

2. House: $125,000 in a primary or general election
- Candidate who does not receive public funds and is not subject to limitations must report to FEC within 48 hours after first making expenditures in excess of the limitations applicable to candidates receiving public funding;
- When candidate reports to FEC that he has exceeded expenditure limitations, no other candidate in race will be subject to limitations, regardless of whether or not public funds are accepted;
- In addition to candidate's expenditure limitation, political party may expend certain amounts on general election campaign (See 2 U.S.C. § 441a(d));

H.R. 3114	3/20/79	Pease	House Administration Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Similar to H.R. 2221 except that it allows taxpayers to file tax credit under section 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3430	4/4/79	Jeffords	House Administration

HONORARIA - LIMITATIONS:
- Amends the Federal Election Campaign Act of 1971 to prohibit members of Congress from accepting any honorarium (including paid or reimbursed expenses) in excess of $500;

H.R. 3438	4/4/79	McClory	Judiciary

VOTING RIGHTS ACT - LIMIT:
- Identical to H.R. 2769;

H.R. 3534	4/9/79	Pease	House Administration Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Similar to H.R. 2220 except that it allows taxpayers to file tax credit under section 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3834 5/1/79 Jacobs House Administration

"Vendor Payment Act"

CAMPAIGN FINANCING - PUBLIC FINANCING - ADVERTISING:
- Provides for public financing of advertising and related expenses for candidates for election to the House of Representatives;

CANDIDATE ELIGIBLE FOR CAMPAIGN ALLOTMENT:
- Requires arranging in advance advertisement for the various media and installation of telephone equipment if question-and-answer format is used and submitting schedule to Federal Election Commission (FEC) not later than ten days before election;
- Certify to FEC that other expenditures (from personal, family or campaign contributions) will not be used for advertisements or telephone installation;
- Agrees to furnish FEC with a separate listing for television, radio and newspaper allotment specifying date and time or amount of space used, name of station or newspaper, and name of company installing telephones;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO FOLLOWING CAMPAIGN ALLOTMENTS:
- Television time--1 1/2 hour (each segment at least five minutes long);
- Radio time--135 minutes (each segment at least five minutes long);
- Newspaper advertising--126 column inches or one page, whichever is greater, (no individual advertisement can be less than ten column inches) or costs incurred by telephone installation for question-and-answer format;
- FEC will transmit to Secretary of Treasury a formula for prorating payments to all candidates if amount appropriated will not be sufficient to cover applications, candidates and media affected will be promptly notified of revision;

PARTICIPATING MEDIA COOPERATION SPECIFIED AS FOLLOWS:
- Requires media used to submit report of charges to Commission not later than ten days before election; Commission will notify media upon certification by Secretary that payment will be made not later than 30 days;
- Provides that, if Commission fails to certify charge, candidate and media involved will be allowed ten days to submit amended schedules and reports;

H.R. 3913 5/3/79 Sensenbrenner House Administration

FEDERAL ELECTION COMMISSION:
- Amends Federal Election Campaign Act of 1971 extending the period of limitations applicable to prosecutions from three to five years;

H.R. 4212 5/23/79 Ottinger House Administration

"Regional Presidential Primaries Act of 1979"

H.R. 4212 cont.

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:
- Establishes five regional Presidential primary election districts and sets dates for primary elections to be held in such districts for the purpose of electing delegates to the national political conventions;
- Candidates certified by the FEC to receive public financing for their primary campaigns must be placed on the ballot; in addition, candidates may have their names placed on the ballot of any state participating in the primary if they present a petition signed by at least 1% of persons registered to vote in the state;
- Voter eligible to vote only for delegates for a candidate for nomination by party of voter's registered affiliation;
- Delegates must vote for nomination of candidate for whom he/she was appointed until two ballots have been taken, or such candidate receives less than 20% of vote on a ballot or until such candidate releases such delegate;
- Directs Federal Election Commission to reimburse each state for costs of conducting a regional primary under this Act;
- Directs the Commission to report to the Congress and the President on steps it has taken to carry out such regional primary system;
- Declares that this Act shall supersede and preempt state laws relating to the nomination of any Presidential candidate;

H.R. 4244	5/30/79	Burton	House Administration

QUALIFICATIONS TO VOTE - AGE:
- Grants citizens who will be 18 years of age or older on the date of the related general or special election the right to vote in any primary or runoff election for federal office;

H.R. 4339	6/6/79	Glickman	Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Repeals third-class postal rates authorized for political committees;

H.R. 4412	6/11/79	Stack	House Administration

BALLOTS - SAMPLE:
- Requires U.S. Postal Service to furnish free of charge facilities, equipment and manpower to all political subdivisions for the mailing and delivery of sample ballots and sample ballot card information;
- Requires that sample ballots and information be mailed to each registered voter no less than five nor more than ten days prior to a general election;

H.R. 4412 cont.

- Requires cost of preparation for designating specific candidates for office as well as directions and instructions for the operation and usage of specific types of voting equipment to be borne by respective states or political subdivisions;
- Designates that Federal Election Commission will monitor violations of this Act;

H.R. 4759	7/12/79	Bonker	Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4768	7/12/79	Minish	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - MULTICANDIDATE POLITICAL COMMITTEE:
- Amends Federal Election Campaign Act of 1971 reducing contribution allowed to a candidate by multicandidate political Committee from $5,000 per candidate to $1,000 per candidate;

H.R. 4773	7/12/79	Tauke	Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency and vice versa of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4843	7/18/79	Corcoran	Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to the state

or local election authority and vice versa of absentee ballots in any federal election;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4970 7/26/79 Obey et al. House Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:
- Amends the Federal Election Campaign Act in the following ways:
- Prohibits nonparty multicandidate political committees from making contributions to a candidate for House of Representatives which exceed the following amounts in any calendar year:
    1. $5,000 - general or special election and primary election relating to such general or special election
    2. $7,500 - general or special election and both a primary and a runoff election relating to such general or special election (not more than $5,000 for one election)
- Prohibits candidates for House of Representatives from accepting contributions from other than committees of a political party which exceed $50,000 in any calendar year except:
    1. May accept contributions from other political committees aggregating not more than $50,000 with respect to general or special election and any primary election relating to such general or special election
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
    1. Worth more than $1,000
    2. For period of more than 30 days after date on which such goods or services are furnished

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H.R. 5010 7/30/79 Thompson et al. House Administration

ACTION: 9/7/79 - Reported from House Administration Comm. (H. Rept. 96-422)
9/10/79 - Passed House
12/18/79 - Passed Senate amended
12/20/79 - House agreed to Senate Amendment
1/8/80 - Public Law 96-187

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:
1. Candidate
    - Adds that person is deemed to seek nomination for election if such

individual receives or consents to allow another to receive contributions or make expenditures in excess of $5,000;

2. Political Committee
   - Among other things includes local committee of political party which receives contributions in excess of or makes payments exempted from definition of expenditure aggregating in excess of $5,000 per calendar year or makes contributions or expenditures aggregating in excess of $1,000 per calendar year;
3. Contribution
   a. Includes gift, subscription, loan, advance of money and payment by any person for personal services of another person rendered to a political committee without charge
   b. Does not include, among other things, certain residential use costs, (including church or community rooms), vendor and volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; certain loans made by national or state banks, federal savings and loan institutions, credit unions or any institution whose deposits are insured by FDIC; certain legal and accounting services rendered to political party committees; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), including such materials which refer to any other candidate; certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
4. Expenditure
   a. Includes purchase, payment, distribution, loan, advance, deposit or gift of money and also means a written contract, promise, or agreement to make an expenditure
   b. Does not include, among other things, news story, nonpartisan register to vote activity, any communication by certain membership organization or corporation to its members, stockholders, executive or administrative personnel, except certain communications expressly advocating the election or defeat of candidate if costs exceed $2,000 for any election; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising); certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
5. Person
   - Includes individual, partnership, committee, association, corporation, labor organization, but does not include federal government;

H.R. 5010 cont.

POLITICAL COMMITTEES:
- Requires that the treasurer be appointed prohibiting committees from making expenditures or receiving contributions when there is vacancy in that office;
- Requires contributions to authorized political committees and contributions to all committees of $50 or more be forwarded to treasurer no later than ten days after receiving; contributions of $50 or less to other political committees must be forwarded no later than 30 days;
- Specifies recordkeeping duties of treasurer to include, among other things, the name and address of contributors of $50 or more and identification of persons contributing, in the aggregate, $200 or more per calendar year; identification of any political committee making contribution; name and address of persons to whom expenditures are made (receipt, invoice or cancelled check required for disbursements in excess of $200); requires all such records be preserved for three years;
- Specifies all funds of a political committee must not be commingled with the personal funds of any individual;
- Requires that candidates designate principal campaign committee within 15 days of becoming candidate;
- Stipulates that additional authorized committees may be designated but that such committee can support only one candidate except where presidential candidate may designate national committee of political party (the national committee must maintain separate "principal campaign committee" book of accounts) and where other candidates may designate a committee established solely for purpose of joint fundraising;
- Authorized committee must include in its name the name of authorizing candidate;
- Requires designation of one or more state banks or certain other banking facilities as a campaign depository - disbursements to be made by check drawn on required checking accounts of political committee;
- Outlines information to be included in statement of a political committee which must be filed within ten days of such designation;

REPORTING REQUIREMENTS:
- Requires candidates and their principal campaign committees to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);
- Requires persons who make independent expenditures of $250 or more during a calendar year advocating the election or defeat of a candidate, must file a statement;
- Allows political committees to submit ten pseudonym contributor names in order to protect against illegal use of names and addresses of contributors - committees must submit a separate list identifying fictitious names to Commission; these separate lists would not be made public;

- Allows non-candidate committees to file with appropriate Secretary of State only that portion of their disclosure report applicable to candidates seeking election in that state;

FEDERAL ELECTION COMMISSION:

- Outlines procedures and qualifications necessary for appointment to FEC requiring among other things that such members liquidate or terminate any other business, vocation or employment 90 days after appointment;
- Provides that the Commission may employ or appoint counsel to appear in and defend against any action instituted under the Act without regard to the provisions of Title 5 U.S.C.
- Details powers of the Commission including rendering advisory opinions to any person submitting certain written requests no later than 60 days after request is received or no later than 20 days if opinion is requested by a candidate or authorized committee of candidate during 60-day period before any election for federal office;
- Provides that FEC "Clearinghouse" compile information and review procedures regarding the administration of federal elections - allows contracts to fulfill this objective to be entered into;
- Provides that FEC is to have exclusive jurisdiction for civil enforcement of campaign laws;
- Provides that those who act upon advisory opinions that they have requested or those whose circumstances are indistinguishable from opinions previously rendered may rely upon the opinions and not be subject to any sanction provided by this Act;

ENFORCEMENT:

- Provides that, prior to conducting an audit of any political committee, an internal review of reports of selected committees to determine if threshold requirements have been met as well an affirmative vote of four Commission members must occur; audit must occur within 30 days of such vote within six months of the election for which committee is authorized;
- Requires Commission to notify any person alleged to have committed a violation of this Act within five days after Commission has received written, signed, sworn to and notarized complaint of such allegation; such person will have 15 days to demonstrate, in writing, that no action should be taken against him;
- Requires affirmative vote of four members of the Commission that there is probable cause to believe a violation has occurred or is about to occur before Commission may attempt, for at least 30 days and not more than 90 days, to enter into a conciliation agreement;
- Allows 120 day time period during which a complainant may seek court action because the FEC failed to act on his complaint;
- Provides that court action promulgated under this title will be put ahead of actions on the docket of the court in which it is filed;

CONTRIBUTIONS BY FEDERAL EMPLOYEES:

- Provides that solicitations of political contributions by candidates for Congress, members of Congress or any federal employee from any officer or employee of the federal government is prohibited;
- Provides that any officer or employee of the federal government may make voluntary contributions provided that the recipient of the contribution is not the employer or employing authority of the person making the contribution;

H.R. 5010 cont.

- Prohibition against soliciting or receiving contributions in a federal building would not apply to contributions received by mail so long as the contribution was not solicited in a federal room or building and is forwarded within seven days to a campaign committee;

MISCELLANEOUS:

- Provides that contributions received by a candidate in excess of amount needed to defray expenditures may not be converted to any personal use by any person who is not a Senator or Representative at the time this amendment is passed but may be used in the following ways:
  1) To defray necessary expenses incurred with duties as a federal office holder
  2) Contributed to certain organizations specified in § 170(c) of the Internal Revenue Code
  3) Used for any other lawful purpose including transfers without limitations to any national, state or local committee of any political party
- Stipulates that any communication through any broadcasting station, newspaper, direct mail or other type of general public political advertising expressly advocating the election or defeat of a clearly identified candidate must clearly state the name of person paying for the communication and whether or not it is authorized by the candidate or candidate's authorized committee;
- Raises from $2 million to $3 million the amount that each major political party may receive from the Presidential income tax check-off fund to operate its Presidential nominating convention;

H.R. 5081 8/2/79 Erlenborn House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Prohibits political committees other than national, state or local political party committees which are established by a national political party from making contributions to any candidate;

H.R. 5377 9/24/79 Rhodes et al. House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends Federal Election Campaign Act of 1971 changing the definition of "contribution" to include the value of volunteer services on behalf of a candidate or political committee unless such services are under the auspices of a corporation, labor organization, or any of their committees;

H.R. 5478 9/28/79 Ritter House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends the Federal Election Campaign Act of 1971 changing the amount of an individual contribution which must be included in the campaign reports of a candidate who is not an incumbent and who is a candidate for the office of Representative

H.R. 5478 cont.

from more than $100 to more than $500;

H.R. 5529	10/10/79	Spellman	Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referendum conducted under authority of an election agency;
- Provides that any voting instruction, sample ballot, absentee ballot and envelope and registration application sent by election agency to voter and any registration application returned by individual to an election agency qualifies for third-class postage rates;
- Provides that free postage and third-class postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955, the Overseas Citizens Voting Assistance Act of 1955 or the Overseas Citizens Voting Rignts Act of 1975;

H.R. 5564	10/12/79	Emery et al.	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends Federal Elections Campaign Act of 1971 providing that no person will make contributions exceeding $1,000 to a political committee advocating the election to federal office of any specific individual who is not a candidate for such office;

H.R. 5568	10/12/79	McDonald	House Administration

FEDERAL ELECTION COMMISSION:
- Provides that Federal Election Commission be abolished, that all past decisions or regulations made by Commission will have no effect and that all functions, activities, powers and duties of Commission not be transferred to any other establishment of government;

H.R. 5824	11/7/79	Rose	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - PROHIBITS BROADCASTING OF HOUSE PROCEEDINGS:
- Amends the Communications Act of 1934 to prohibit transmission of any audio or visual broadcasting or recording of floor proceedings of the House of Represen-

tatives if such transmission is for the purpose of influencing the outcome of any election for public office;
- Transmission prohibition does not apply if a broadcast is considered to be one of the following:
  1) Bona fide newscast
  2) Bona fide news interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including political conventions and activities incidental to such conventions)
- Criminal penalties are specified in the Act;

H.R. 6017	12/4/79	Downey	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Amends the Communications Act of 1934 to provide that the requirements of sec. 315, which relates to equal broadcasting opportunities for political candidates, will not apply to candidates for the offices of President and Vice President;

H.R. 6103	12/11/79	Van Deerlin	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Amends the Communications Act of 1934 to provide that the requirements relating to equal broadcasting opportunities for political candidates will not apply to candidates for the office of President or Vice President who use a broadcasting station without the payment of any charge;
- Provides that the license involved will not have editorial control over the material broadcast in connection with such an appearance except for the following types of programs:
  1) Bona fide newscast
  2) Bona fide interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including any debate between candidates for the office of President or Vice President)

H.R. 6187	12/19/79	Leach	Post Office and Civil Service

ADVERTISING AND SOLICITATION - THRID-CLASS MAILING:
- Repeals special bulk third-class mail rates for political committees;

H.R. 6325   1/29/80   Broomfield   House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends the Federal Election Campaign Act of 1971 to exclude from the definition of the term "contributions" donations to a county committee of a political party for construction or purchase of certain office facilities;

H.R. 6345   1/30/80   Jacobs   House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contributions;

H.R. 6473   2/11/80   Bereuter   House Administration

"Campaign Contributions Utilization Reform Act of 1980"

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting excess campaign contributions to personal use or to defray any ordinary expenses incurred in connection with his or her duties as a holder of federal office;

H.R. 6510   2/13/80   Jenkins   Ways and Means

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES:
- Amends the Social Security Act permitting a state to modify its coverage agreement so as to exclude services performed in any year by an election official or election worker if the remuneration paid for such services is less than $300 (instead of $100 as at present)

H.R. 6530   2/19/80   Harris   House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contribution;

H.R. 6568	2/21/80	Mathis	Armed Services House Administration

REGISTRATION - AUTOMATIC UNDER MILITARY SELECTIVE SERVICE ACT:
- Provides that the Director of Selective Service will forward to the appropriate local voter registration authorities the name, address and age of any individual who registers under the Military Selective Service Act;

H.R. 6577	2/22/80	Jeffords	Post Office, Civil Service and Judiciary

APPORTIONMENT - CENSUS:
- Requires the Secretary of Commerce, in each decennial census, to specify the number of aliens in each state and provides that illegal aliens will not be counted for purposes of the apportionment of Representatives in Congress;

H.R. 6634	2/27/80	Thompson	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends title 18, sec. 603, of the U.S.C., making it unlawful for any person in the employ of the Congress to make a political contribution of money to a Member of Congress if the Congressman serves as the employer or employing authority of such person;
- Prohibits any Congressman or his or her authorized committee to accept knowingly a political contribution of money from such employee;
- Provides that any person violating this section will be fined not more than $1,000 or imprisoned not more than one year, or both;

H.R. 6637	2/27/80	Dickinson	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:
- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions:
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

H.R. 6702 3/4/80 Thompson House Administration

ACTION: 3/6/80 - Reported from Com., H. Rept. 96-816
3/10/80 - Passed House
3/18/80 - Referred to Senate Rules and Administration Comm.

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Provides that voluntary political contributions by federal employees are lawful except that it is unlawful for any person in the employ of the Congress to make a political contribution to a Member of Congress if the Congressman serves as the employer or employing authority of such person;
- Provides that any person violating this section will be fined not more than $5,000 or imprisoned not more than three years, or both;

H.R. 6769 3/11/80 Hillis Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:

- Provides that methods and procedures be used which will assure that illegal aliens will not be counted in the decennial censuses for the following reasons:
  1) To prevent the loss of congressional representation of many states by including illegal aliens in the reapportionment base for the House of Representatives
  2) To prevent the citizens and legal residents of many states from receiving less than their proportionate share of federal assistance programs which are distributed completely or partially on population figures

H.R. 6791 3/12/80 Bonker Post Office and Civil Service

BALLOTS - ABSENTEE:

- Provides for the free use of postage mailing in any federal or state election in the following instances:
  1) For the mailing of post card absentee ballot requests from an individual to an election agency
  2) For the mailing of any absentee ballot sent by the election authority to an individual and vice versa
- Provides that the Postal Service will prepare and make available without charge to all post offices requests for absentee ballots postal cards as well as lists containing the names and addresses of all election agencies and their respective requirements for obtaining absentee ballots;
- Provides that free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 6812 3/13/80 Grassley Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:
- Identical to H.R. 6769;

H.R. 7071 4/16/80 Bennett House Administration

CAMPAIGN FINANCING - REPORTING REQUIREMENTS:
- Provides that all persons required to submit reports to the FEC must report any offset, refund or notice of reporting error relating to such contribution, expenditure, cost or amount not later than two days after the offset, refund or notice of reporting error occurs;
- Requires the FEC to publish each report of an offset, refund or notice of reporting error not later than ten days after the report is received;

H.R. 7281 5/7/80 Thompson et al. House Administration
ACTION: 5/8/80 - Reported from Com., H. Rept. 96-929
5/12/80 - Passed House
5/12/80 - Proceedings vacated. Laid on table
5/12/80 - Passed in lieu, S. 2648 as amended

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC for fiscal year 1981;

H.R. 7316 5/8/80 Tauke House Administration

HONORARIA - LIMITATIONS:
- Provides that no employee of a Member or committee of the House of Representatives may accept any honorarium for any appearance, speech or article which exceeds the following amounts: 1) more than $1,000 (excluding amounts accepted for actual travel and subsistence expenses for the employee and certain other persons); or 2) honorarium aggregating more than fifteen percent of the aggregate salary paid to such person during any calendar year;

H.J. Res. 37 1/15/79 Goldwater Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress,

H.J. Res. 37 cont.

allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;
- Petition must be signed by 8% of whole number of state population in at least 26 states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Vote of 2/3 of members of each house of Congress can repeal, amend or reenact laws enacted under this amendment without presidential approval;
- Requires majority of votes in 3/4 of states before proposed laws are effective;

H.J. Res. 40 1/15/79 Guyer Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;
- Petition must be signed by 8% of whole number of state population in 3/4 of the states;
- Requires majority of votes in 3/4 of states before new laws or repealed proposals are effective;
- Valid petition proposals will be placed on first election ballot for President;
- No law adopted by the people will be subject to Presidential approval, amendment or repeal;
- Congress can act on measures passed by a vote of 3/4 of members of each house of Congress;
- No bill passed by Congress under this article requires Presidential approval;

H.J. Res. 81 1/15/79 Smith Judiciary

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES:
- Presidential candidates will be chosen by direct popular vote at a primary election to be held in July;
- Candidates must be seeking the nomination of the party of their registered affiliation, and in addition satisfy certain petition requirements; further, the political party must meet certain qualifications;
- Candidate winning 40% of the votes cast by voters of his own party shall win that party's nomination, but, if no candidate wins 40%, a run-off will be held;
- After Presidential candidates are elected, each party will choose a Vice Presidential candidate;

H.J. Res. 113 1/18/79 Lagomarsino Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;
- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by 3% of electorate in at least ten states; the total number of signatures must total 3% of the nation's electorate;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years;

H.J. Res. 147 1/23/79 Sawyer Judiciary

REFERENDUM - VOTER INITIATIVE:
- Identical to H.J. Res. 113;

H.J. Res. 190 2/5/79 Hansen Judiciary

DISTRICT OF COLUMBIA - REPRESENTATION IN CONGRESS:
- Proposes amendment to Constitution providing that D.C. and territories of U.S. be treated as though they were states for purposes of representation in the House of Representatives;

H.J. Res. 196 2/8/79 Kemp et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;
- Petitions to enact or repeal laws must be signed by 3% of electorate in at least 15 states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on election ballot held for members of the House of Representatives at least 120 days after petition signatures have been certified;

H.J. 196 cont.

- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of 2/3 of members of House and Senate;

H.J. Res. 286 4/2/79 Jones et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Substantially the same as H.J. Res. 113 except that it does not specifically outline procedures for repealing laws;

H. Con. Res. 127 5/23/79 Heftel Judiciary

VOTING RIGHTS ACT - IMPROVE COMPLIANCE:
- Sense of Congress to improve performance of Department of Justice in aiding states to comply with Voting Rights Act provisions relating to "language minority" groups;

H. Con. Res. 283 2/22/80 Thompson House Administration
ACTION: 3/5/80 - Reported from Comm., H. Rept. 96-804
3/10/80 - Passed House
3/12/80 - Referred to Senate Rules and Administration Comm.
4/2/80 - Reported from Comm., S. Rept. 96-653
4/15/80 - Passed Senate

CANDIDATES - CAMPAIGN LAWS:
- Provides that an additional twenty thousand copies of the "Federal Election Campaign Laws Relating to the United States House of Representatives" be printed as a House document and distributed to the Committee on House Administration and to candidates for the House of Representatives;

H. Res. 115 2/13/79 Pritchard Rules

CAMPAIGN FINANCING - SOLICITATION:
- Amends House rules to prohibit members from using official congressional stationary to raise funds if such funds are used to affect governmental elections;

H. Res. 594	3/4/80	Clinger	Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:
- Provides that for the purpose of apportionment of Representatives in Congress illegal aliens should not be counted in the decennial census;

SENATE AND HOUSE JOINT RESOLUTIONS INTRODUCED IN THE 96TH CONGRESS DEALING WITH THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT

PRESENT METHOD OF ELECTION - ELECTORAL COLLEGE PLAN

The Constitution provides that the President and Vice President of the United States shall be elected by electors who are appointed in each state in a manner directed by the Legislature of the state. Each state must appoint a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress (Art. II, Sec. 1). In all states and the District of Columbia, the Presidential electors are elected directly by the people of the state. These electors then convene in their own states as "colleges," known collectively as the "Electoral College" to elect the President and the Vice President. Thus, under present constitutional provisions, the President and the Vice President are not elected by means of a direct popular election, but instead are elected by the Electoral College.

Under the practice followed in all states but one, the people of the state vote for a slate of Presidential electors drawn up by the political parties in that state. The slate of electors winning the majority or plurality of the popular vote in the state would then cast all of the electoral votes of the state in favor of one Presidential candidate. Thus, the winner of the greatest number of popular votes in a state in a Presidential race would be credited with all of that State's electoral votes, rather than only that portion of the electoral votes which reflects the percentage of the popular vote won. The one exception to this general practice is Maine, where an elector is chosen from each Congressional district on the basis of winning the popular vote in that district and two at-large electors are chosen on a statewide basis (Maine Revised Code Annotated, Title 21, § 1184 (1-A). This is the district plan, discussed below).

Under the Constitution, Congress has the responsibility for setting the date on which Presidential electors are elected, which date must be uniform throughout the United States, and the date on which they will meet to cast their votes for the President and the Vice President. If, when the votes are cast for President and Vice President, no person receives a majority of the entire number of electoral votes, the House of Representatives shall choose the President from the three persons having the highest number of electoral votes (Art. II, Sec. 1).

PROPOSED METHODS OF ELECTION

Most measures considered by Congress have proposed a constitutional amendment which would affect a basic reform in the method by which the President and Vice President are elected. These proposals fall into four categories set forth below.

DIRECT ELECTION PLAN

Under the direct election plan, the Electoral College and the electoral vote system would be abolished. Instead, the President and Vice President would be elected by direct popular vote cast throughout the United States. Several proposals now pending in Congress would create a system whereby the President and the Vice President would be elected directly. These proposals are:

S.J. Res. 1	Bayh et al.	1/15/79
S.J. Res. 28	Bayh	1/25/79
H.J. Res. 7	Danielson	1/15/79
H.J. Res. 24	Bennett	1/15/79
H.J. Res. 57	Kastenmeier	1/15/79
H.J. Res. 93	Won Pat	1/15/79
H.J. Res. 150	Conte	1/24/79
H.J. Res. 181	Erdahl	2/1/79
H.J. Res. 189	Edwards	2/5/79
H.J. Res. 208	Fithian	2/15/79
H.J. Res. 240	McClory	3/6/79
H.J. Res. 252	Boner	3/13/79
H.J. Res. 254	Burlison	3/13/79
H.J. Res. 261	Burlison et al.	3/20/79
H.J. Res. 288	Burlison et al.	4/3/79
H.J. Res. 299	Burlison et al.	4/10/79
H.J. Res. 308	Burlison et al.	4/30/79
H.J. Res. 332	Burlison et al.	5/16/79

These proposals calling for direct election of the President and Vice President vary in their approaches to the following matters:

1. Method of casting vote:
   Cast joint vote for team consisting of candidate for President and candidate for Vice President, both consenting to the joinder of their names -
   All proposals

2. Percentage of vote required to win:
   a. Plurality -
   H.J. Res. 181

   b. 35% -
   H.J. Res. 93, 240

   c. 40% -
   S.J. Res. 1, 28
   H.J. Res. 7, 24, 57, 150, 189, 208, 252, 254, 261, 288, 299, 308, 332

3. Required percentage not attained:
   a. Runoff election must be held -
   S.J. Res. 1, 28
   H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
   H.J. Res. 308, 332

b. Congress decides in special election -
H.J. Res. 24

4. Place, time, and manner of holding elections and entitlement to inclusion on ballot:

a. Prescribed by the State Legislatures, but Congress may alter the state laws or the state laws become inapplicable if in conflict with an Act of Congress; however, Congress sets the day for holding elections, which day must be uniform throughout the United States, and Congress governs the method for ascertaining election results -
S.J. Res. 1, 28
H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299, 308
H.J. Res. 332

b. Prescribed by Congress -
H.J. Res. 24

5. Voter qualifications:

a. Same as for most numerous branch of state legislature except that state may prescribe less restrictive qualifications and Congress may prescribe uniform residence qualifications -
S.J. Res. 1, 28
H.J. Res. 7, 57, 93, 189, 208, 240, 252, 254, 261, 288, 299, 308, 332

b. Same as in the case of voters in election of Senators, but state may prescribe less restrictive residence qualifications, and Congress may adopt uniform age and residence requirements -
H.J. Res. 24

c. Same as for electors of Members of Congress, but state may prescribe less restrictive residence qualifications and Congress may adopt uniform age and residence requirements -
H.J. Res. 150

6. Congress may provide for case of death, resignation, inability or withdrawal of a candidate:
S.J. Res. 1, 28
H.J. Res. 7, 24, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
H.J. Res. 308, 332

PROPORTIONAL PLAN

Under the proportional plan, the electoral college would be abolished, but the electoral vote would be retained. The electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received, thereby eliminating the present winner-take-all system.

S.J. Res. 51	Cannon et al.	3/22/79
H.J. Res. 88	Vander Jagt	1/15/79
H.J. Res. 125	Ashbrook	1/22/79

1. Percentage of vote required to win:
    a. Majority -
        H.J. Res. 88, 125

    b. 40% -
        S.J. Res.51

2. Required percentage not attained:
    House of Representatives chooses -
    H.J. Res. 88 (Senate chooses Vice President), 125
    Senate and House in joint session chooses -
    S.J. Res. 51

3. Voter qualifications:
    Same qualifications requisite for the electors of the most numerous branch of the state legislature -
    S.J. Res. 51
    H.J. Res. 125

4. Place, time, manner of holding election in states:
    Congress will determine the day of the election, which must be uniform throughout the United States, but state legislatures determine the place and manner -
    H.J. Res. 88 (Congress determines time for electing only), 125
    S.J. Res. 51

DISTRICT PLAN

Under the district plan, the electoral college would be preserved, with each state choosing a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress. However, in all states, the electors would be chosen by the voters from districts created within the state, and, in addition, two at-large electors would be chosen on a statewide basis. The winner-take-all aspects of the present system would thus be eliminated because a candidate would be credited with only those district electoral votes that he actually won. Further, in contrast to the present method, the candidates for the office of Presidential elector would be required to declare for whom they will cast their votes for President and Vice President and such declaration will be binding.

H.J. Res. 106	(Fuqua, 1/18/79)
H.J. Res. 207	(Conable, 2/19/79)
H.J. Res. 549	(Derwinski, 5/14/80)

1. Percentage of electoral vote required to win: Majority
    Majority -
    H.J. Res. 106
    H.J. Res. 207
    H.J. Res. 549

2. Tie vote in electoral college: Person with the greatest number of electoral district votes, rather than at-large electoral votes should win.
    H.J. Res. 207
    H.J. Res. 549

3. Required percentage not attained: Senate and House of Representatives choose President and Vice President from persons with three highest number of votes.
    H.J. Res. 207
    H.J. Res. 549

4. Required majority not attained: Senate and House of Representatives choose President and Vice President from the pairs of candidates not exceeding three having the highest number of electoral votes.
    H.J. Res. 106

5. Voter qualifications: Same qualifications requisite for the electors of the most numerous branch of the state legislature.
    H.J. Res. 106
    H.J. Res. 207
    H.J. Res. 549

6. Manner of holding elections in states:
    a. Congress will determine -
        H.J. Res. 207
        H.J. Res. 549

    b. States will determine subject to alterations by Congress -
        H.J. Res. 106

AUTOMATIC ELECTORAL VOTE PLAN

Under this plan, the Electoral College would be abolished but the electoral votes of each state would be retained. According to this method, the electoral vote of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state. Thus, as in the present system, the winner of the greatest portion of the popular vote would be credited with all of the electoral votes of the state. The proposal also provides for an automatic electoral vote plan but with an additional national pool of electoral votes equivalent to the number of senators plus an additional two for the District of Columbia, to be automatically allocated to the candidate receiving the most popular votes across the nation. S.J. Res. 48 (Bayh, 3/14/79), H.J. Res. 223 (Bingham, 2/26/79).

FEDERAL LEGISLATION

TERMS OF OFFICE FOR PRESIDENT, VICE PRESIDENT, SENATE AND HOUSE

Several Senate and House Joint Resolutions have been introduced in the 96th Congress which deal with the terms of office and number of terms allowed for the President, Vice President, Senate and House. Present terms for the President and Vice President are 4 years; Senate -- 6 years (1/3 of Senators elected every 2 years); and House -- 2 years. The new proposals are:

S.J. Res. 25	Danforth et al.	1/24/79
S.J. Res. 27	De Concini et al.	1/24/79
S.J. Res. 34	Johnston	2/6/79
S.J. Res. 103	Thurmond	9/10/79
H.J. Res. 50	Hillis	1/15/79
H.J. Res. 158	Ichord	1/24/79
H.J. Res. 160	Quayle	1/24/79
H.J. Res. 168	Frenzel	1/29/79
H.J. Res. 169	Frenzel	1/29/79
H.J. Res. 170	Glickman et al.	1/29/79
H.J. Res. 179	Shumway et al.	1/31/79
H.J. Res. 182	Erdahl	2/1/79
H.J. Res. 186	Schulze	2/1/79
H.J. Res. 272	Emery	3/21/79
H.J. Res. 315	Jacobs	5/1/79
H.J. Res. 334	Clinger	5/16/79
H.J. Res. 368	Paul	6/27/79
H.J. Res. 377	Quayle	7/11/79
H.J. Res. 401	Duncan	9/14/79
H.J. Res. 419	Collins	10/12/79
H.J. Res. 538	Collins	4/29/80

Since one bill may relate to several of the following categories, it may be listed more than once.

PRESIDENT AND VICE PRESIDENT

6 Year Term

1 Term Limit

S.J. Res. 103
H.J. Res. 158
H.J. Res. 168
H.J. Res. 182
H.J. Res. 186
H.J. Res. 401
H.J. Res. 419
H.J. Res. 538

2 Term Limit

H.J. Res. 50

9 Year Total Service Limit

H.J. Res. 160
H.J. Res. 377

SENATE

Term Limit

1 - H.J. Res. 419
H.J. Res. 538

2 - S.J. Res. 25
S.J. Res. 27
H.J. Res. 182
H.J. Res. 334
H.J. Res. 368 (4 Yr. Term)

3 - H.J. Res. 169
H.J. Res. 186

* - H.J. Res. 50
* - H.J. Res. 160
* - H.J. Res. 315

HOUSE OF REPRESENTATIVES

2 Year Term

Term Limit

6 - S.J. Res. 25
7 - S.J. Res. 27
9 - H.J. Res. 169

3 Year Term

Term Limit

* - H.J. Res. 50
5 - H.J. Res. 186

4 Year Term

Term Limit

3 - H.J. Res. 170
H.J. Res. 179
H.J. Res. 182
* - H.J. Res. 334

Term Limit Not Specified

S.J. Res. 34
H.J. Res. 272

6 Year Term

Term Limit

1 - H.J. Res. 419

* H.J. Res. 50 - Allows 12 yrs. aggregated service time in Senate or House or 18 yrs. combined Senate and House service

* H.J. Res. 160 - Allows 15 yrs. consecutive service time in the Senate and 13 yrs. aggregated service time in the House

* H.J. Res. 315 - Not more than 12 yrs. Senate service within any 14 yr. period; not more than 10 yrs. House service within any 12 yr. period

* H.J. Res. 334 - Allows not more than 10 yrs. aggregated service time in House

APPENDIX: 1979 SESSION LAWS

CALIFORNIA

SB 1138, Approved 9/26/79

Allows the placement of temporary political signs in areas which are protected from advertising displays under the outdoor advertising act, unless a federal agency determines that the placement of such signs would violate federal regulations.

Specifies that no political signs may be placed within 660 feet of and visible from the right-of-way of a landscaped freeway or within the right-of-way of a highway.

COLORADO

SB 158, Approved 5/30/79

Specifies that if there are not more candidates, including candidates filing affidavits of intent, for director of special districts than offices to be filled at the election, such fact shall be certified to the board. After holding a meeting, the board may cancel the election and declare the candidates elected by resolution. Notice of the cancellation shall be published, if possible, and posted at each polling place and at least one other public place.

HB 1033, Approved 4/25/79

Requires that a plan be developed and submitted to the general assembly by the judicial department no later than January 1, 1980, that will deal with criminal court decisions and other relevant material in order to inform the electorate on the performance of a judge.

ILLINOIS

SB 563, Act 81-1149, Approved 11/26/79

States that the polls shall be open from 6:00 a.m. to 7:00 p.m. (formerly 6:00 p.m.).

HB 1914, Act 81-1117, Certified 11/21/79

Requires reports of campaign contributions to be filed no later than fifteen days before a primary, as for other elections. However, no report need be filed ninety days after a primary, although such a post-election report is required for other elections.

Authorizes an elector to vote by absentee ballot if he is unable to be at the polls on election day because of election duties for the office of an election authority, the state board of elections, or a law enforcement agency.

Permits an election authority to adopt a standard application blank for an absent voter's ballot in lieu of separate applications prescribed for absence due to various reasons (e.g., observance of religious holiday, physical incapacity). Specifies the format for the standard application blank. Also specifies the printed certification to be used on the absentee ballot envelope if the election authority adopts the standard absentee ballot application blank.

HB 2228, Act 81-1189, Certified 11/29/79

Directs the state board of elections and each county clerk to provide to each candidate at the time he files his nomination papers a notice of obligations under art. 9 of the Illinois Election Code (relating to disclosure of campaign contributions and expenditures), a manual of instructions, and a supply of forms for the statements to be filed. Specifies that if a candidate files his nomination papers by mail or if an agent of the candidate files the nomination papers for the candidate, the board or county clerk is to send to the candidate the required materials within two business days. Additionally, at least thirty days before each filing date for reports of campaign contributions and for annual reports of contributions and expenditures, the board or the county clerk is to send to each political committee that has filed a statement of organization a notice of obligations under art. 9 and appropriate forms.

HB 2540, Act 81-1195, Certified 11/29/79

Deletes the requirement that the cards of instruction furnished to judges of election by the election authorities include copies of certain provisions of the Illinois Election Code.

HB 2799, Act 81-1211, Approved 12/5/79

Changes the name of the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act to the Nursing Home Care Reform Act of 1979.

Provides that when physically incapacitated electors in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 make voting application to the election authority not later than five days before the election, their ballots will be delivered by a judge of election on the day prior to the election. The election authority is required to notify the applicants, by mail, of this service. Methods for selecting judges of election are outlined.

ILLINOIS CONT'D

Provides that voting in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 will be conducted during any continuous period sufficient to allow all applicants to cast their ballots, and at a time convenient to the election authority and the chief administrative officer of each facility. Public announcement of these arrangements must be made for the benefit of prospective poll watchers.

Requires that the department of public health must certify to the state board of elections within a certain specified time, a list of facilities licensed pursuant to the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act or the Nursing Home Care Reform Act of 1979. These lists must indicate the approved bed capacity and the name of the chief administrative officer of the facility. The state board of elections must certify the same information to the appropriate election authority within twenty days.

HB 2813, Act 81-1215, Approved 12/5/79

Allows political committees to request copies of registration information recorded on electronic data processing equipment, at a reasonable cost, from the board of election commissioners.

Specifies that such information is to be used only for bona fide political purposes, and forbids its use for commercial solicitation or business purposes.

Requires a candidate for delegate or alternate delegate to a national nominating convention to file a statement delaring his presidential preference or uncommitted status with the state board of elections at the time of filing his statement of candidacy, and requires that such preference or uncommitted status appear next to his name on the primary ballot.

KANSAS

SB 384, Approved 4/12/79

Allows the county election officer to mark the outside of a ballot for voting on a question or constitutional amendment with an identifying number, in order to distinguish it from other ballots on questions or constitutional amendments when more than one is submitted to the voters.

Changes the ballot instructions to electors voting in primary and general school elections and primary and general city elections. Requires that when voters are allowed to vote for the same number of candidates as the number of positions to be filled, they be informed that they may vote for fewer candidates if they so wish.

1979 SESSION LAW CONT'D

MASSACHUSETTS

HB 6754, Approved 10/16/79

Authorizes a city or town clerk to designate either a central tabulation center for the counting of paper ballots and punched cards, or to declare all polling places as tabulation centers (formerly, the clerk was required to choose one central tabulating center) and designates the clerk as the presiding officer at a central taublating center.

Allows the appointment of as many tabulating center inspectors as deemed necessary by the city or town clerk (formerly, no fewer than six were required to be appointed).

MICHIGAN

HB 4662, Act 151, Approved 11/27/79

Deletes the requirement that physically disabled voters attest by oath to their inability to vote unassisted.

Requires two election inspectors to assist a voter if he states that he cannot mark the ballot. Allows a blind voter to designate a family member or another person over eighteen years of age to assist him in marking his ballot.

NEBRASKA

LB 329, Approved 5/23/79

States that members of the city council must represent all areas and all socioeconomic segments of the population of cities of the metropolitan class.

Provides that terms of office for council members shall be four (formerly three) years.

Specifies that the election commissioner shall divide a city of the metropolitan class into seven districts of contiguous territory. The districts shall be numbered consecutively from one to seven and one council member shall be elected from each district.

States that at the general city election held in 1981 the council members elected from even-numbered districts shall be elected for two-year terms and the members of the odd-numbered districts shall be elected for four-year terms. However, each of their successors shall be elected for four-year terms.

Requires that a candidate for council member be a qualified voter and a resident in the city or district or any area to be annexed by the city for one year.

NEBRASKA CONT'D

Changes the form for the statement of candidacy.

States that the primary election ballot shall include the number of the city council district, the name of the city as well as the number of city council members to be elected.

Specifies that the two candidates receiving the highest number of votes in each city council district at the primary shall be the only candidates whose names are placed on the official ballot for council members in each council district at the regular or general city election.

Stipulates that vacancies in the council shall be filled from the district in which the vacancy occurred. Salaries of the mayor and members of council shall be determined by local law.

OHIO

HB 141, Approved 12/14/79

Limits to two the number of judges and clerks that a board of elections may allow to officiate at certain special and municipal primary elections, providing that such officials be equally divided between the two major political parties at primary elections.

Allows the board of elections to appoint precinct officials, designated as receiving and counting officers, at each general or primary election. The board may determine the number of officials to be appointed, provided that the maximum number does not exceed four judges and two clerks, and that the maximum number be appointed only if necessary.

Permits the board to assign work shifts, and states that a receiving officer may perform the duties of either receiving or counting official, or both, if assigned to work a second shift.

PENNSYLVANIA

HB 1261, Act 124, Approved 12/13/79

Waives the late filing fees for certain reports of contributions and expenditures not filed within the prescribed periods in connection with various primary, special and municipal elections held during 1979.

1979 SESSION LAWS CONT'D

TENNESSEE

SB 522, Chapter 274, Approved 5/9/79

Requires that the county election commission appoint certain election officials not more than thirty days (formerly twenty days) before each election.

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Election Law Updates '80

First, Second and
Third Quarters

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INTRODUCTION BY THE NATIONAL CLEARINGHOUSE ON ELECTION ADMINISTRATION

Election Law Updates is a quarterly series designed to report and summarize all new State and Federal election legislation. The series is cumulative throughout the calendar year such that each quarterly edition contains the information of previous quarters culminating in the fourth quarter's Annual Cumulative Summary.

It is important to note that these updates summarize only recent changes in election laws and do not summarize the entire body of election law in each State. Summaries of each State's election code are available from the Clearinghouse only on certain specific topics (Campaign Financing, Ballot Access, Contested Elections and Recounts, Election Administration, and the like). Otherwise, readers are encouraged to review State election codes and to use these updates only to identify any changes since the publication date of the original code. By the same token, readers needing to make legal decisions on the basis of any new legislation are advised to obtain copies of that legislation rather than rely on the summary information contained herein. Finally, many readers, and especially legislators, interested in specific topics will benefit from the topical index in the back of the volume.

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FEDERAL - STATE ELECTION LAW UPDATES:
AN ANALYSIS OF STATE AND FEDERAL LEGISLATION

PREPARED FOR

FEDERAL ELECTION COMMISSION

BY

AMERICAN LAW DIVISION OF THE CONGRESSIONAL RESEARCH SERVICE
LIBRARY OF CONGRESS

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FOREWORD

The Federal-State Election Law Updates is a project sponsored by the Federal Election Commission and produced by the American Law Division of the Congressional Research Service of the Library of Congress. The Federal-State Election Law Updates analyzes both federal and state major election legislation. A quarterly cumulative publication will be issued in the months of April, July, October, and January. The January issue will be the final cumulative edition of the year.

The principal purpose of the Federal-State Election Law Updates is to furnish in the form of a brief analysis the essential provisions of State election laws. In regard to federal legislation, the Election Law Updates will provide a brief summary of pending public bills and resolutions dealing with election laws and include more detailed analyses of those bills that have had action. It is hoped that this publication will give readers sufficient information concerning what other states and the federal government are doing in the election area.

The editors rely on the accuracy, the promptness, and the completeness of the State Legislative Reporting Service of Commerce Clearing House for copies of all State election laws. Unavoidably, there will be a time lapse between the enactment of some laws and their publication in the Election Law Updates. Such laws will appear in a later issue. The final cumulative issue of the year includes laws received through December 1st of that year. Laws received after that date will appear in the appendix of the first issue of the following year. Summaries of these laws are not intended to be exhaustive. The statutory text should be consulted before acting on the basis of any such enactment. Should more information be desired by the reader on any section, it might be necessary to contact the State legislature or congressional office to get a complete version of the law or bill. The object of this publication is to give as much detail as time and space permit.

Each issue of the Federal-State Election Law Updates encompasses the following sections:

Section I. State Session Laws -- This section contains summaries of significant election laws recently enacted by the states. Under each state heading, the Senate bills and resolutions that have become laws are listed first, followed by the House bills and resolutions; the bills and resolutions are listed in numerical order. After each bill number, there are listed a chapter number -- if given -- and the date on which the bill was approved and enacted into law. Laws relating to campaign finance are not included here, but are grouped together in Section II. Whenever a campaign finance law of a state appears in Section II, a cross-reference to that law is included with the summaries of that state's laws in Section I. If a law relates to both campaign finance and other aspects of election law, the campaign finance provisions are summarized in Section II and the other portions of the law are included in Section I.

Section II. *State Campaign Finance Session Laws* -- This section summarizies the significant laws on the subject of campaign finance that have recently been passed by the states. These laws are grouped together separately from other state election laws because of the special interest in this area of many readers. The format is the same as in section I.

Section III. *Federal Legislation* -This section is devoted to an analysis of federal legislation introduced in Congress and of any action which Congress has taken on such legislation. The bills and resolutions are listed serially and briefly summarized. The major sponsor and the date of introdution follow, along with the committee to which the measure is referred and any further action taken on it.

Appendix. Summaries of state election laws (including campaign finance laws) enacted during 1979 and received by the editors too late to be included in the final cumulative issue of Election Law Updates for 1979 appear in the Appendix.

Index. All bills and laws are indexed.

Preparation of the Federal-State Election Law Updates is the responsibility of the American Law Division of the Congressional Research Service, Library of Congress, under contract with the Federal Election Commission and under the supervision of Gary L. Greenhalgh, Director of the Clearing House on Election Administration. Thomas M. Durbin, Jay R. Shampansky and Michael V. Seitzinger are the Editors. M. Ann Wolfe is the Managing Editor, La Vonne M. Grabiak is the Assistant Editor. Gilbert Gude, Director of the Congressional Research Service, Joseph E. Ross, Chief of the American Law Division, and Charles Doyle, Assistant Chief, serve as Supervising Editors.

TABLE OF ABBREVIATIONS

AB	Assembly Bill (State)
ACA	Assembly Constitutional Amendment (State)
ACR	Assembly Concurrent Resolution
AI	Assembly Initiative
AR	Assembly Resolution
CACR	Concurrent Resolution Proposing Constitutional Amendment (State)
FEC	Federal Election Commission
HB	House Bill (State)
HCR	House Concurrent Resolution (State)
H. Con. Res.	House Concurrent Resolution (Federal)
HF	House File (State)
HJR	House Joint Resolution (State)
H.J. Res.	House Joint Resolution (Federal)
H. Rept.	House Rept. (Federal)
HR	House Resolution (State)
H.R.	House of Representatives Bill (Federal)
H. Res.	House Resolution (Federal)
JRS	Joint Resolution/Senate (State)
LB	Legislative Bill (State)
S.	Senate Bill (Federal)
SB	Senate Bill (State)
SF	Senate File (State)
SCR	Senate Concurrent Resolution (State)

TABLE OF ABBREVIATIONS CONT'D

S. Con. Res.	Senate Concurrent Resolution (Federal)
SI	Senate Initiative (State)
SJR	Senate Joint Resolution (State)
S.J. Res.	Senate Joint Resolution (Federal)
S. Mem.	Senate Memorial (State)
S. Rept.	Senate Report (Federal)
SR	Senate Resolution (State)
S. Res.	Senate Resolution (Federal)
Subcom.	Subcommittee
U.S.C.	United States Code

HIGHLIGHTS OF MAJOR ELECTION LEGISLATION

STATE LEGISLATION

Bill Number	Title or Description	Approved	Act/Chap. No.
Hawaii HB 1671	Campaign Financing and Reporting Requirements	6/21/79	Act 224
Montana SB 65	Election Law Revision	4/12/79	
New Hampshire HB 575	Campaign Financing and Candidates	6/25/79	Chapter 436
New Mexico SB 56	Campaign Financing and Reporting Requirements	4/6/79	Chapter 360
North Dakota HB 1138	Campaign Financing, Initiative, Referendum and Recall Elections	Passed Over Veto 3/28/79	

SECTION I - STATE SESSION LAWS

ALABAMA

SB 86, Act 93, Approved 3/20/80

Changes the day for holding regular elections in cities and towns from the third Tuesday in August to the second Tuesday in July. Changes the day a second or runoff election will be held from the first Tuesday in September to the third Tuesday following the regular election.

Changes the day that a statement of candidacy and certified affidavit must be filed for municipal elections from the third Tuesday in June to the first Tuesday in June.

Changes the day the required certified lists of qualified voters must be filed with the municipal clerk from the second Tuesday in May to the first Tuesday in June. Requires that the clerk then post this list in three public places in the municipality before the second Tuesday in June.

Changes the length of time in which the envelope containing the voting statement and the sealed ballot box must be delivered to the municipal clerk from not later than twenty-four hours after the polls have closed to not later than 11:00 a.m. on the next day after the polls have closed.

Changes the day when the returns of the election must be canvassed from not later than noon on Thursday following the election to not later than noon on Wednesday following the election.

Provides that if no candidate receives a majority of all the votes cast in an election, a second or runoff election must be held not later than the third Tuesday following the regular election.

SB 87, Act 94, Approved 3/20/80

Provides that the regular municipal elections in cities and towns must be held on the second Tuesday in July, 1980, and quadrennially thereafter.

Changes the day when a second or runoff election must be held from the first Tuesday after the second Monday in September to the third Tuesday following the regular election.

Changes the day when the notice of a regular election must be published from no earlier than the second Tuesday and no later than the third Tuesday in June to no earlier than the second Tuesday and no later than the third Tuesday in May.

ALABAMA CONT'D

Provides that when two or more municipal offices of the same name are to be filled at the regular election, the municipal body is required to designate each of these offices by number prior to the first day of March.

Changes the day the statement of candidacy and certified statement of qualification must be filed from 5:00 p.m. on the first Tuesday in July to 5:00 p.m. on the first Tuesday in June.

Changes the day the voter qualification list must be filed with the municipal clerk from the first Tuesday in July to the first Tuesday in June. Changes the day the clerk is required to publish this list from on or before the second Tuesday in July to on or before the second Tuesday in June.

Changes the day the statement of the votes envelope and the sealed ballot box must be delivered to the municipal clerk from not later than twenty-four hours after the polls have closed to not later than 11:00 a.m. of the day after the polls have closed.

Changes the day the municipal governing body is required to canvass the returns received from the several elections officers from not later than noon on the Thursday after the election to not later than noon on the Wednesday after the election.

Changes the day the municipal governing body must order a second or runoff election to be held in the event that no candidate receives a majority of all the votes cast from the first Tuesday after the second Monday of September to the third Tuesday following the regular election.

HB 19, Act 725, Approved 5/28/80

States that election officers must be appointed from qualified electors, excluding members of a candidate's immediate family or any member of a candidate's political committee, to serve as poll workers or election officials.

HB 622, Act 732, Approved 5/28/80

States that an application for an absentee ballot shall include the applicant's name, age, sex, residence address or such other information necessary to verify that such applicant is a registered voter and the address to which he desires that ballot to be mailed.

Provides that, upon receipt of the application for an absentee ballot, if the applicant's name appears on a list of qualified voters in the election to be held or if the voter makes an affidavit for a challenged voter, the registrar shall furnish the absentee ballot to the applicant by forwarding it by mail or by handing the absentee ballot to the voter in person.

Provides that each absentee ballot shall be accompanied by an envelope upon which shall be printed an affidavit. Changes the form of the affidavit for absentee ballots.

States that every qualified absentee voter shall be furhished with two envelopes for returning his marked ballot. One envelope shall be a plain envelope in which the ballots shall be sealed by the voter after he has marked it. The second envelope shall have the voter's affidavit printed on the back and shall be large enough to seal the plain ballot envelope inside.

Specifies that upon receipt of an absentee ballot, the absentee election manager shall record its receipt on the absentee ballot list. The absentee election manager shall deliver the sealed affidavit envelopes to the election officials beginning at noon on the day of the election. Such election officials shall then call the name of each voter casting an absentee ballot with poll watchers present and open each affidavit envelope, review the affidavit to certify that the voter is entitled to vote and deposit the plain envelope containing the absentee ballot into a sealed ballot box. After the closing of the polls, the absentee ballots shall be counted and handled as if the absentee voter were present and voting in person.

Provides that any person or organization authorized to appoint poll watchers may have a single watcher present at the counting of absentee ballots.

Specifies that any person who willfully changes an absentee voter's ballot so that it does not reflect the voter's true ballot or any person who willfully votes more than once by absentee ballot in the same election, or any person who willfully votes for another voter or falsifies absentee ballot applications or verifies documents so as to vote absentee is in violation of sec. 17-10-17 of the Code of Alabama and, upon conviction, shall be punished by imprisonment in the penitentiary for not less than one nor more than two years or by a fine of not less than $500 nor more than $2,000 or by being both fined and imprisoned.

HB 663, Chapter 243, Approved 4/18/80

Provides that any class 3 municipalities having a mayor-council form of government and having a general municipal election or run-off election required by general or local act at times different from the dates provided by art. 2, chap. 46, of t. 11, Code of Alabama, may elect by ordinance to have elections held at the time required by art. 2.

HB 776, Act 363, Approved 5/6/80

Provides that any class 5 city (cities with a population of not less than 25,000 and not more than 49,999 inhabitants) may hold its city election on the second Tuesday in July, 1980, and the runoff election three weeks after that date. Provides that city elections be held on that date every three years in those cities which adopt a resolution to that effect.

HB 1105, Act 668, Approved 5/28/80

Provides that a school of instruction shall be held for election officers in each state senate district in Mobile County at least five days before an election or primary election. Notification of the time and place of such school of instruction shall be made by the sheriff. Publication of such notice shall be made at least forty-eight hours before the election or primary election is to be held.

Specifies that no election official shall serve in any election district in which a voting machine is used unless the official has received instruction, has received a certificate from the authorized instructor, and is fully qualified to perform the duties in connection with the machine. However, appointment of an uninstructed person as an election official to fill a vacancy shall not be prevented.

HJR 10, Act 80-5, Adopted 2/21/80

Provides that an election upon the constitutional amendments proposed by the 1979 regular session of the legislature is to be held on March 11, 1980, the date of the presidential primary election.

HJR 269, Act 397, Adopted 5/1/80

Provides a common date for holding elections on all constitutional amendments proposed at the 1980 session of the legislature when a date is not otherwise specified.

ALASKA

SJR 2, Approved 5/16/80

Proposes an amendment to the Alaska constitution which, if adopted, would provide that no state legislator, during the term for which elected and one year thereafter, may be nominated, elected or appointed to any other state office or position of profit which has been created while he was a member. This prohibition includes the offices of governor and secretary of state. Repeals the exemption for certain offices from the provision prohibiting a state legislator from holding any other state or federal office.

Excludes positions, the salary or emoluments of which have been increased, during a legislator's term, from those positions to which a legislator may not be nominated, elected or appointed.

HR 28, Chapter 20, Approved 4/10/80

Provides that candidates for state offices and national legislative offices will be nominated in a primary election by direct vote of the people in the manner prescribed by sec. 15.25.010 - 15.25.200 of the Alaska Statutes.

Adds a section to the election code governing presidential party primary elections providing that the lieutenant governor will call such an election on the third Tuesday in April of a presidential election year or a different date if proclaimed by September 1 of the year preceding the presidential election; if a different date is assigned to the primary, the dates that petitions are filed and that candidates must be notified are adjusted.

Provides that generally recognized candidates for the nomination for President will be placed on the ballot. Specifies that the lieutenant governor is to announce names of candidates for the ballot on the last Tuesday in January. Provides that the lieutenant governor must notify each candidate that the candidate's name will appear on the ballot in this state and give the candidate instructions on how his or her name may be withdrawn.

Provides that supporters of a candidate for nomination for President may file a petition to have the name of the candidate of their choice on the ballot. Specifies that such petitions must be filed by the last Tuesday in February and must contain the signatures of qualified voters residing in no less than two-thirds of the election districts of the state equal in number to five percent of the number of votes cast for the candidates for governor in the preceding election for governor.

Provides that the petition for presidential candidate must include the following: a) the full name of the candidate; b) the name of the political group supporting the candidate; c) the name of the political party in which the candidate is registered; d) a statement that the subscribers are qualified voters of the state; and e) a statement that the subscribers request that the candidate's name be placed on the ballot. Provides that the signature sheets must also contain the printed name and residence address of each qualified voter whose signature appears on the petition.

Provides that political parties in the state must select delegates to their national conventions according to the party's plan of organization. Specifies what proportion of delegate votes each candidate will receive based on the proportion of votes cast for that candidate in the primary.

Provides that a delegate's vote must be cast for the candidate to whom that delegate is pledged until that candidate is nominated by the convention, releases the delegates from the pledge, or until two convention nominating ballots have been taken.

Provides that no other state election may be scheduled on the date scheduled for the presidential party primary election.

ARIZONA

SB 1275, Chapter 239, Approved 4/23/80

See Section II for a summary of this law.

CALIFORNIA

AB 870, Chapter 26, Approved 3/5/80

Provides that if an incumbent of a judicial office fails to file his or her nomination papers by the last day prescribed for filing, an additional five days must be allowed for filing for the office even if he or she has not filed a written and signed declaration of intention to become a candidate for the office.

AB 1486, Chapter 289, Approved 7/1/80

See Section II for a summary of this law.

AB 2061, Chapter 97, Approved 5/15/80

Changes filing fees for candidates for judicial office or any county office to one percent of the annual salary of the office unless the annual salary of the office is $2,500 or less.

AB 2251, Approved 4/3/80

Adds a new section to the California Elections Code which states that any statement for the voters' pamphlet submitted by a candidate for judicial office shall be limited to a recitation of the candidate's own personal background and qualifications and shall not make reference to another candidate's qualifications, character or activities. Any statement which includes such references shall not be printed or circulated.

AB 3413, Chapter 564, Approved 7/16/80

Permits the legislative bodies of any county, city or special district who adopt certain provisions of this act prior to the conduct of an election resulting in a tie vote to resolve a tie vote by lot or by conducting a special runoff election.

Allows the governing body of the district, by resolution, to revoke the adoption of the all-mailed ballot procedure and consolidate the general district election with any election scheduled in the same territory.

COLORADO

SB 1, Approved 3/17/80

Rewrites art. 13 of the Colorado election code, relating to offenses in elections. Combines and makes uniform existing provisions in art. 13 and art. 30, and repeals the existing art. 30. Provides that the act takes effect January 1, 1981. (According to the office of the Colorado Legislative Council, this measure is a reenactment and does not make substantive changes in the law.)

SB 5, Approved 2/14/80

Provides that any voter, including any judge of election, unable to go to the polls because of conditions arising after the closing date for absent voter ballot applications may apply at the office of the county clerk and recorder for an emergency absent voter's ballot before 5:00 p.m. on the day of the election (formerly the day before the election) and the ballot shall be returned no later than 7:00 p.m. on the day of the election.

SB 12, Approved 2/21/80

Recodifies (effective January 1, 1981) the provisions of the election code relating to general, primary, and congressional vacancy elections. Revises and rearranges existing law into a more logical sequence. (According to the office of the Colorado Legislative Council, this measure does not make substantive changes in the law.)

HB 1021, Approved 3/25/80

Authorizes branch registration offices to be open at any time after forty-five days following any general election. Provides that the hours for branch offices are to be set by the county clerk and recorder, except that a branch office open each day on and after the sixty-third day until and including the thirty-second day preceding each primary and on and after the day after the primary until and including the thirty-second day before each general election is to be open a minimum of two hours per day in a county with a population of less than 50,000 and a minimum of four hours per day in a county with a population of 50,000 or more. Specifies that the act is effective January 1, 1981.

HB 1024, Approved 3/25/80

Provides that the changes in the boundaries of precincts or the creation of new precincts is to be completed at least thirty-two days (formerly, five months) prior to the precinct caucus day (formerly, the day of the general election), except in cases of precinct changes resulting from changes in county boundaries. States that when a board of county commissioners determines to change the

COLORADO CONT'D

boundaries of commissioner districts or when new districts are created, such changes or additions are to be completed not less than thirty-two days prior to the precinct caucus day, except in cases of changes resulting from changes in county boundaries. Prohibits the alteration of the boundaries of director districts more often than twice every four years. Provides that this act takes effect January 1, 1981.

CONNECTICUT

SB 70, Act 80-223, Approved 5/13/80

See Section II for a summary of this law.

SB 143, Act 80-212, Approved 5/13/80

See Section II for a summary of this law.

SB 144, Act 80-432, Approved 6/4/80

See Section II for a summary of this law.

SB 147, Act 80-215, Approved 5/14/80

Requires the town clerk to notify the secretary of state and the clerk of the superior court for the judicial district in which such town is located of any vacancy in the office of justice of the peace.

States that whenever there is a vacancy in the general assembly, the governor shall issue writs of election directed to the town clerks or assistant town clerks in which the vacancy exists, ordering an election to be held on the forty-sixth (formerly fortieth) day after the issue of such writs to fill such vacancy. Such clerks or assistant ckerks shall warn elections to be held on the day appointed, but not earlier than the date of issuance of such writs. When a vacancy occurs in a district office as defined in sec. 9-372 of the Connecticut General Statutes, nominations by political parties may be made at any time after the resignation or death of the member or member-elect of the General Assembly and prior to the tenth day after publication of the warning of the election. Such nomination shall not be effective until the presiding officer and secretary of any district convention have certified the nomination to the secretary of state or, in the case of a vacancy in a senatorial or assembly district composed of a single town or part, until the presiding officer and secretary of the town committee or single town convention have certified the nomination to the town clerk.

Specifies that the clerk shall file a list of candidates of each party for district office with the secretary of state by the thirty-second day before the special election.

Provides for the appointment of suitable mechanics to prepare, adjust and place the voting machines for use at an election. Such mechanics shall be sworn to perform their duties honestly and faithfully and shall be considered as election officials. However, such mechanics shall not be required to be electors of any town.

CONNECTICUT CONT'D

States that all election officials of each polling place shall be electors of the town.

SB 497, Act 80-[illegible]49, Approved 5/13/80

Provides that the party endorsement certification for delegate to a convention may contain, along with the required information, the last name of a candidate selected by the endorsing authority for placement on the ballot label.

Adds to the specifications for ballot placement and form the requirement that on the first horizontal line in each vertical column used for delegates to a convention must be placed the words "party-endorsed slate" preceded by the last name of one of the party-endorsed candidates for delegate if such name was certified to the municipal clerk.

HB 5289, Act 80-272, Approved 5/14/80

See Section II for a summary of this law.

HB 5291, Act 80-271, Approved 5/15/80

Provides that no person (defined to include an individual, committee, firm, partnership, corporation, or other legal entity of any kind) shall make any expenditure for the purpose of financing any written, typed, or other printed communication which promotes the success or defeat of any candidate's campaign for nomination or election or which promotes the success or defeat of any constitutional amendment, referendum question or question to be voted upon at any election unless the communication bears upon its face, in the case of an individual who pays for or sponsors the communicaton, the name and address of the individual, or in the case of a committee, organization, or business corporation who pays for the communication, the name of the entity and of a specified official thereof. States that this provision shall not be construed as applying to any editorial, news story, or commentary published in any newspaper, magazine, or journal on its own behalf and for which it does not charge or receive any compensation. The provision also does not apply to political paraphernalia including pins, buttons, badges, emblems, hats, bumper stickers, lawn or yard signs or other similar materials.

HB 5292, Act 80-281, Approved 5/15/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Provides that in lieu of the application form prescribed in sec. 9-27 of the

CONNECTICUT CONT'D

Connecticut General Statutes Annotated, a member of the armed forces or merchant marine or a spouse or dependent of such member may apply for registration and enrolment on the federal postcard application form provided pursuant to the Federal Voting Assistance Act of 1955, as amended, or any other applicable law. Specifies that the failure of the applicant to take the elector's oath of Connecticut on the federal postcard application will not invalidate the application of admission.

Adds overseas citizens qualified to vote under the Overseas Citizens Voting Rights Act of 1975, as amended, to the list of persons who are permitted to make use of an absentee ballot application provided by any federal department or agency.

States that the exercise of any right to vote in federal elections by any citizen outside the United States shall not affect the determination of his place of residence or domicile for purposes of any tax imposed under federal, state, or local law.

Requires each justice of the peace to be an elector of the municipality in which he is elected or nominated to office.

States that a pencil shall be provided within each voting machine for use in casting a write-in ballot.

HB 5425, Act 80-379, Approved 5/21/80

Provides that municipal registrars conduct either a house-to-house canvass or that such a canvass be made by mail within six months before each regular election. Provides that the secretary of state adopt regulations for conducting a canvass by mail.

Provides that the town chairman must give notice in a general circulation town newspaper of the date, time, location and purpose of a caucus held to select party-endorsed municipal office candidates five days before the caucus day.

HJR 3, Adopted 4/24/80

Proposes an amendment to the Connecticut constitution which, if adopted, would include congressional districts in the guidelines established by the legislature to reapportion the state after the decennial census is complete. Specifies the procedures to be followed in calling a special session of the legislature for the purpose of adopting a plan of districting. Outlines the procedures to be followed for adopting a plan of districting.

DELAWARE

HB 678, Approved 2/5/80

Changes the language of several provisions of the state code relating to school district elections so that the prescribed wording on the ballot (eg., "for additional tax" and "against additional tax") applies to both paper ballots and voting machines. Whereas the law previously specified the wording for paper ballots, it failed to extend the provisions to the use of voting machines.

FLORIDA

SB 618, Chapter 292, Approved 7/1/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Directs the supervisor of elections to determine the actual number of ballots to be printed in any county in which voting machines are not used. Specifies that in any county in which voting machines are used, one set of official ballots shall be provided for each machine plus a number of sets equal to five percent of the total number of machines, of which one set shall be inserted or placed in or upon the machines and the five percent retained in the custody of the supervisor, unless it becomes necessary during the election to make use of these ballots upon or in the machines.

Provides that in the case of a change in party affiliation, the elector shall make a written request for such change and surrender his registration identification card, or indicate in writing if it has been lost, stolen, or destroyed, to the supervisor of elections. Specifies that upon verification, the supervisor shall cancel the elector's prior registration and issue the person a new card, provided than a new card shall not be issued while the registration books are closed.

States that although persons temporarily residing outside a county shall be registered in the precinct in which the county courthouse is located when they have no permanent address in the county and it is their intention to remain residents of the state and of the county in which they are registered, such persons shall not be registered electors of the municipality and therefore shall not be permitted to vote in any municipal election.

Provides that when an elector moves from the address indicated on his voter registration records, or changes his name, he shall notify the office of the supervisor of elections in writing of such change and obtain a voter identification card reflecting the new residence address or the name change. Permits address and name changes to be made at times when the registration books are closed immediately preceding an election, with such changes to be effective at that election. When the books are closed for an election, registration and party changes shall be accepted for subsequent elections.

Specifies that electors may be temporarily removed from the registration books when any first class mail sent by the supervisor to an elector is returned as undeliverable. Such names shall not be removed until a diligent effort has been made by the supervisor to locate the electors.

Provides that the supervisor of elections may, if requested, provide a list that contains the name of those electors who have voted in any election or elections occurring more than sixty days before the request. Such lists may be furnished ony to: (a) courts for the purpose of jury selection; (b) municipalities; (c) other governmental agencies; (d) candidates, to further their candidacies; (e) registered political committees, registered committees of continuous existence, and political parties or officials thereof, for political purposes only; and (f) incumbent officeholders to report to their constituents.

Provides that within ten days after there is any change in the division, number or boundaries of the election precincts, or the location of the polling places, the supervisor shall make in writing an accurate description of any new or altered election precincts, setting forth the boundary lines thereof, so as to designate accurately the limits of each precinct. The supervisor of elections shall at the same time name, clearly define, and describe in writing the polling place which the supervisor has established in each new or altered election precinct or in any precinct in which the supervisor may have changed the polling place. The supervisor shall publish the change once in a newspaper of general circulation in the county and shall post a plainly written or printed copy at the courthouse in a conspicuous place.

SB 1174, Chapter 80-333, Approved 7/2/80

States that the governor may suspend from office an elected or appointed public official who is indicted or informed against for commission of any felony or misdemeanor arising out of his official conduct or duties and may fill the office for the period of suspension by appointment.

Requires that the suspended public official not perform any official act, duty, function or receive any pay, allowance, emoluments or privileges of the office.

Provides that a public official may be removed from office by the executive order of the governor if convicted. Any person who pleads guilty, nolo contendere or is found guilty shall be deemed to have been convicted notwithstanding suspension of sentence or the withholding of adjudication. However, if acquitted, found not guilty or the charges are dismissed, the governor shall revoke the suspension and the public official shall be entitled to full back pay and other emoluments or allowances to which he would have been entitled had he not been suspended.

Provides that any officer suspended by the governor and not removed by the senate because of failure to prove the charges shall be reinstated and the legislature may provide for the payment of reasonable attorney's fees and costs or the back pay and emoluments of office from the date of suspension to the date of reinstatement, from general revenue funds.

HB 191, Chapter 80-264, Approved 6/30/80

States that no person shall serve as an inspector, clerk or deputy sheriff for an election unless such person has completed the required training class. Vacancies may be filled by the supervisor on election day by appointing persons who have attended previous training classes conducted within two years of the election.

HB 536, Chapter 80-305, Approved 7/2/80

Provides that the language of constitutional amendments or other public measures must be printed in clear and unambiguous language and that the effect of an affirmative or negative vote be made clear.

Specifies that the ballot title cannot exceed fifteen words and that the substance of the amendment cannot exceed seventy-five words.

Provides that the designating numbers of amendments will be assigned in the order of the filing or certification of the amendments.

HB 1411, Chapter 207, Approved 6/25/80

Repeals the provision of the election code that prohibited officers and employees under the state merit system employed by state agencies that receive federal funds from being eligible to hold party office or membership on any county or state executive committee. Authorizes employees in the career service to hold political party offices. Declares that an officer or employee of the state or any political subdivision may also serve as a member of the state executive committee or county executive committee of a political party. Specifies that no person shall be required to resign from his public office or employment, nor shall any person be fired or removed from such public office or employment, because of membership on such a committee prior to the effective date of this act.

GEORGIA

SB 433, Act 1090, Approved 3/24/80

Provides that each principal of every public or private high school or his designee and the director of each area vocational school or his designee shall be a deputy registrar for the purpose of registering qualified applicants enrolled in or employed by the school. The powers of the deputy registrar should be explained and procedures set up to enable students who are qualified applicants to register.

Specifies that electors disqualified to vote because they have not voted in the preceding three years in at least one general, special or primary election shall be given notice within ten days of the purge by first class mail and shall be given twenty days from the removal date to request in writing a continuance of their registration.

Provides that if there is no opposing candidate then no name shall appear on the general or special election ballot unless a write-in candidate has otherwise qualified. Provides also that no election shall be conducted in an election district in which there are no opposed candidates, no eligible write-in candidates and no issues to be submitted to the electorate. And if no election is to be held, the municipality shall provide notice to inform the affected electorate that no election is to be conducted. The superintendent shall then certify the unopposed candidate.

States that if there are two or more candidates with the same or similar names for the same nomination or office, the official with whom the candidates qualified shall determine whether the names of the candidates are of such similar nature as to warrant printing the residences of all candidates for such nomination or office on the ballot.

SB 606, Act 1210, Approved 3/26/80

Changes the population brackets for counties where a board of registration and election must be established from not less than 200,000 and not nore than 600,000 to not less than 350,000 and not more than 600,000.

HB 51, Act 890, Approved 3/20/80

States that when the titles of offices are arranged horizontally on voting machines, the names of all candidates for the same offices shall be within the same vertical lines.

HB 1030, Act 676, Approved 2/1/80

Creates in each county in the state having a population of between 11,340 and 11,390 a board of elections. Provides rules governing the appointment of the three members of the board of elections in each such county.

Specifies that no person who holds an elective public office or who qualifies as a candidate for an elective public office is eligible to serve as a member of the board of elections.

Requires the governing authority of the county to certify the appointment of each member of the board with the clerk of the superior court at least fifteen days prior to the date the member is to take office. The certification shall be made by the clerk to the secretary of state within the same time and in the same manner as for registrars.

States that if a vacancy occurs, by removal, death, resignation or otherwise, in the office of any appointed member before his term expires a successor shall be appointed by the original appointing body. Certification shall be made in the same manner as the regular appointment of members.

Requires that each member of the board of elections take the oath as required for registrars before entering his duties.

Specifies that the board shall be responsible for the selection, appointment and training of poll workers in elections. The selection of workers shall be made from lists provided by the county executive committee of each political party.

Relieves the judge of the probate court from all powers and duties to which the board of elections succeeds.

Provides that the chairman of the board of elections shall supervise, direct and control the administration of the board of elections.

HB 1092, Act 674, Approved 1/31/80

Provides that the secretary of state and the selection committee when preparing and publishing the list of names of potential presidential candidates for inclusion on the primary ballots are not to include the name of any potential presidential candidate who, if elected to the office, would be ineligible under the Constitution and laws of the United States to serve in that capacity.

HB 1144, Act 980, Approved 3/20/80

Provides, among other already included instances, that whenever any person elected to public office fails validly to take that office, the authority with whom the candidates for such nomination or office filed their notice of candidacy must call a special primary or election to fill such position.

HB 1249, Act 995, Approved 3/20/80

See Section II for a summary of this law.

HB 1407, Act 722, Approved 3/5/80

Requires that every candidate for federal and state office, except for the office of justice of the peace, certified by the state executive committee or filing a notice of candidacy shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the secretary of state may challenge the qualifications of any candidate. Within two days after the deadline for qualifying, any eligible voter may challenge the qualifications of any candidate by filing a written complaint with the secretary of state giving the reasons why he believes the candidate is not qualified. The candidate shall be notified in writing that his qualifications are being challenged and of the reasons for the challenge and the candidate shall be informed of the date, time and place of the hearing. The secretary shall then determine if the candidate is qualified to seek and hold office. If it is determined the candidate is not qualified, his name shall be withheld or stricken from the ballot.

Provides that the candidate or elector may appeal the decision of the secretary of state by filing a petition in the superior court having proper jurisdiction.

Requires that every candidate for county office and office of justice of the peace filing a notice of candidacy or certified by the county executive committee of a political party shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the superintendent may challenge the qualifications of any candidate. Within two days after the deadline for qualifying, any eligible voter may challenge the qualifications of any candidate by filing a written complaint with the superintendent giving the reasons why he believes the candidate is not qualified. The candidate shall then be notified in writing that his qualifications are being challenged and of the reasons for the challenge and he shall be informed of the date, time and place of the hearing. The superintendent shall then determine if the candidate is qualified to seek and hold office. If it is determined that the candidate is not qualified, his name shall be withheld or stricken from the ballot.

Provides that the candidate or elector may appeal the decision of the superintendent by filing a petition in the superior court having proper jurisdiction.

HB 1408, Act 723, Approved 3/5/80

States that every candidate for municipal office certified by a municipal executive committee of a political party and candidates filing a notice of candidacy shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the superintendent may challenge the qualifications of any candidate.

States that within two days after the deadline for qualifying, any elector who is eligible to vote for a candidate may challenge the qualifications of the candidate by filing a written complaint with the superintendent giving the reasons why the elector believes the candidate is not qualified to hold the public office being sought. The superintendent shall notify the candidate in wrtiting that his qualifications are being challenged and of the reasons and inform the candidate of the date, time and place of the hearing. The superintendent shall then determine if the candidate is qualified to seek public office. If it is determined that the candidate is not qualified, the candidate's name shall be withheld or stricken from the ballot if the ballots have been printed.

States that the candidate or the elector filing the challenge shall have the right to appeal the decision of the superintendent by filing a petition in the superior court having jurisdiction.

HB 1640, Act 1346, Approved 4/1/80

Amends the "Public Officers Recall Act." Defines "official sponsors" as the electors who file an application for a recall petition who are registered and eligible to vote in the recall election and who reside in the electoral district of the officer sought to be recalled.

Provides that the application for recall petition must include, among other items, the printed names and signatures of the official sponsors, the date signed, residence addresses and the name of the county of residence.

Provides that the official application forms must be printed in the form prescribed in this act by the office of the secretary of state and distributed to election superintendents.

Provides that the number of official sponsors necessary to file an application for a recall petition must be equal to at least 100 electors or equal in number to at least ten percent of the nubmer of electors who were registered to vote at the last preceding general election for that specific office, whichever is smaller.

Provides that an elector who has signed an application for recall petition may request withdrawal of his signature any time prior to the date the election superintendent receives the application. Specifies the prodecures that must be followed for a signature withdrawal to be made.

Provides that the election superintendent is granted unrestricted authority to examine the registration records maintained by the board of registrars for the purpose of determining the legal sufficiency of a recall petition application. Provides that the election superintendent must certify the legal sufficiency or insufficiency of the application within five working days after receiving it. Specifies the filing and issuing procedures to be followed after the application is certified to be legally sufficient.

GEORGIA CONT'D

Provides that the election superintendent is responsible for determining the legal sufficiency of a recall petition within thirty days after it has been submitted. Provides if the superintendent is not able to reasonably ascertain that any signature is that of a qualified elector, such signature will not be counted.

Provides that no application for recall petition or recall petition can be amended, supplemented, or returned after it has been accepted by the election superintendent for verification.

Amends the recall petition forms. Specifies what information is to be included on a recall petition and the order and style in which it must be included. Changes the information required on the affidavit of the circulator of the recall petition. Provides that no employee of the state can circulate a recall petition.

HAWAII

SB 3146, Act 246, Approved 6/10/80

See Section II for a summary of this law.

HB 2265, Act 198, Approved 5/31/80

Provides that when the clerk receives information from the department of health which could result in disqualifying a citizen from voting (such as information dealing with adjudication as a incapacitated person, a mentally retarded person or a mentally ill person) an investigation must be conducted until that information is proven or disproved. Provides that the clerk must remove the name of the person from the register if the investigation reveals among other things that the person is incapacitated to the extent that he or she lacks sufficient understanding or capacity to make or communicate responsible decisions concerning voting.

HB 2809, Act 136, Approved 5/27/80

Provides that in the event of a natural disaster (flood, tsunami, earthquake, volcanic eruption, high wind) occuring more than five days before an election which makes a precinct inaccessible, the chief election officer or county clerk (in county elections) may consolidate precincts within a representative district. The chief election officer or county clerk must give notice of the consolidation in a general circulation newspaper in the affected county before opening the precinct polling place as well as by giving notice through the radio and other broadcast media.

HB 2810, Act 137, Approved 5/27/80

Provides that any registered voter may challenge the right of a person to be or to remain registered as a voter in any precinct for any cause not previously decided by the board of registration or the supreme court regarding that same person. In an election of members of the board of trustees of the office of Hawaiian affairs the voter making the challenge must be registered to vote in that election.

Provides that any voter who is rightfully in the polling place may challenge the right to vote of any person who is attempting to vote on the grounds that the voter is not the person he or she alleges to be or that the voter is not entitled to vote in that precinct. Provides that only in an election of members of the board of trustees of the office of Hawaiian affairs a person registered to vote in that election may also challenge on the grounds that the voter is not Hawaiian.

HB 2845, Act 139, Approved 5/27/80

Repeals the three month residency requirement for a candidate for any primary election.

IDAHO

HB 377, Chapter 271, Approved 3/31/80

States that each county clerk may appoint one or more registrars at-large for the county in addition to the appointment of the registrar for each precinct.

HB 382, Approved 3/28/80

See Section II for a summary of this law.

HB 660, Chapter 236, Approved 3/28/80

Provides that state conventions of political parties shall be held during the final two weeks of the month of June of each election year.

SJR 112, Adopted 3/3/80

Proposes an amendment to the constitution of the state of Idaho which, if adopted, would delete the requirement that an initiative be approved by a majority of the votes cast for governor and to allow an initiative measure to be placed on the ballot at any general election.

INDIANA

SB 14, Approved 3/3/80

Provides that the state and county election board shall include on the ballot the names of candidates nominated by the conventions of any party that cast one half of one percent before January 1, 1983, or two percent after December 31, 1982, of the total vote cast at the last preceding general election.

Provides that the state and county election board shall include on the ballot the names of candidates for the following offices when petitioned by a number of voters equal to one half of one percent before January 1, 1983, or two percent after December 31, 1982, of the total vote cast in the relevant governmental unit, for the secretary of state in the last general election: 1) state officer; 2) representative in Congress; 3) county officer, member of the general assembly, circuit judge, prosecuting attorney; and 4) officer of a township, ward, or division less than a county.

Specifies when and with whom nomination petitions must be filed so that a candidate's name may be included on the ballot.

Outlines the procedures when filling vacancies in office. Provides that only those members of the respective central committee entitled to vote at a primary, general, city or town election for the office to be filled will be eligible to participate in the filling of candidate vacancies. If no member of the committee is eligible to participate in the filling of a town vacancy, the chairman must appoint a registered voter of the town who will appoint a person to fill the vacancy. No one may be selected to fill a vacancy unless his or her written consent is obtained and duly filed in the appropriate office. If a vacancy exists because a tie vote occurred for an office in a primary election, the committee responsible for filling the vacancy must select one of the candidates for that office who was on the ballot of the party filling the vacancy. Describes in detail how a vacancy is to be filled in a town where a candidate vacancy occurs due to the withdrawal of a candidate who had been placed on the ballot through petition.

Provides that a qualified elector may vote before an absent voter's board by absent voter's ballot not more than thrity days nor later than noon on the Monday immediately preceding the election.

SB 108, Approved 2/27/80

Specifies that county commissioners may not change an existing precinct or establish a new precinct during the periods of time beginning immediately after December 31, 1989, and December 31, of each subsequent tenth year and ending May 1, 1992, May 1 of each subsequent tenth year, or the earliest date after the beginning of each period when legislation apportioning the entire state into districts for the election of members of the Indiana general assembly and the House of Representatives is passed and becomes effective, whichever is earlier.

SB 187, Approved 2/27/80

Repeals the reorganization of the election precinct provision which required the state election board to reapportion election precincts if the county commissioners had not reorganized these precincts when necessary because of reapportionment of the members of the general assembly or redistricting of members of the United States Congress prior to the March 1 primary elections or the September 1 general elections.

SB 320, Approved 3/28/80

Includes towns among those political units for which the county election board has the power to conduct elections.

Provides that the chief law enforcement officer of the city or town in city or town elections will serve all processes issued by the board.

Deletes the section which specified requirements which might apply to registered voters in town elections. Provides that the requirements for registration of voters in towns are the same as for voters in all other political units in the state.

Provides that candidates whose nominations have been certified and who wish to resign from such ticket, must do so not later than noon on August 22 immediately preceding a city or town election or forty-five days preceding a special election.

Provides that the time for holding elections for all elective officers in all cities and towns and applicable cities and towns in which the boards of school commissioners or boards of school trustees are elected will be the first Tuesday after the first Monday in November in 1983.

Provides that primary elections to nominate candidates for all elective city and town officers will be held in every city and town of the state on the first Tuesday after the first Monday in May in 1983 and every four years thereafter.

Specifies that a town having a population of less than 3,000 may not hold a primary but that candidates will be nominated by convention.

Requires that two political committees of the major political parties be formed in towns having a population of 3,000 or more which will be composed of members of the county committee in which the town in located, representing precincts situated in whole or in part in the town, and its duly elected or appointed officers. Specifies the organizational and administrative procedures of such a committee and dates when conventions must be called.

Deletes the section detailing special requirements for city or town primary

elections and specifies that city and town primaries will be governed in the same manner as primaries in all other political units in the state.

Amends the section governing the procedure to be followed when a town elects to change into a city.

Provides that when certain specified conditions are met, a county executive may adopt an ordinance incorporating the town. Specifies the provisions which must be included in the ordinance, such as: 1) division of the town into not less than three nor more than seven districts that must be composed of contiguous territory, be reasonably compact, and be as nearly as is possible of equal population; and 2) specification of when an election must be held in the town.

SB 456, Approved 2/27/80

Requires the clerk of the circuit court to furnish the secretary of state with a list of the candidates nominated in any primary election including the names, addresses and the U.S. congressional district in which each candidate resides.

Provides that the clerk of the circuit court must state the number of votes received by each candidate in each U.S. congressional district located within the county in the returns he is required to send to the secretary of state the day after a primary election is held.

HB 1073, Approved 3/3/80

Deletes the stipulation that no election will be held for any city or town elected officer if only one candidate runs for the office.

Provides that if it is necessary to conduct an election for any office for which there is only one candidate running, if there is an election for any office whatsoever in the city or town, then all nominees for every office will appear on the election ballot.

IOWA

SB 2235, Approved 4/14/80

Provides that any person residing outside the United States but who was a resident in the state meeting all voting qualifications except age immediately prior to departure from the United States, has the right to register and to vote as if he or she were a resident of a precinct in the state if the person: (1) has complied with appplicable requirements concerning absentee registration and voting by absentee ballot; (2) does not maintain a domicile, is not registered to vote, and is not voting in any other state; and (3) has a valid passport or card of identity and registration issued under the authority of the Secretary of State of the United States or certain other forms of identification.

HB 707, Approved 5/19/80

Provides that the legislative service bureau shall acquire appropriate information, review and evaluate available facilities and develop programs and procedures in preparation for drawing congressional and legislative redistricting plans on the basis of each federal census. States that by December 31 of each year ending in zero, the legislative service bureau shall obtain information regarding geographic political units in the state for which federal census population data has been gathered and will be tabulated. The data shall be used to prepare the necessary descriptions of geographic and political units for which census data will be reported and which are suitable for use as components of legislative districts. The data shall also be used to prepare maps of counties, cities and other geographic units within the state which may be used to illustrate the locations of legislative district boundaries proposed.

Provides that a population figure based upon certified federal census data shall be assigned to each geographic or political unit. The legislative service bureau shall then begin preparation of congressional and legislative districting plans.

Specifies that not later than April 1 of each year ending in one, the legislative service bureau shall deliver identical bills containing a plan of legislative and congressional districting to the secretary of the senate and the clerk of the house of representatives to be approved.

States that if population data from the federal census becomes available at an earlier time than the population data needed to permit preparation of a legislative districting plan, the presiding officers of the senate and house of representatives shall be notified and if they so direct, the legislative service bureau shall prepare and submit a bill establishing congressional districts separately from the bills establishing legislative districts. However, if the population data for legislative districting is not available on or before February 1 of the year ending in one, the dates shall be extended by a number of days equal to the number of days after February 1 that the population data becomes available.

IOWA CONT'D

Provides that senate, representative and congressional districts shall have a population determined by dividing the number of districts to be established into the population of the state as reported in the federal decennial census.

States that no district shall be drawn for the purpose of favoring a political party, incumbent legislator or member of Congress, other persons or groups or for the purpose of augmenting or diluting the voting strength of a language or racial minority group.

Provides that a five-member temporary redistricting advisory commission shall be established no later than February 15 of each year ending in one.

Defines various terms used in the act.

KANSAS

SB 641, Approved 5/7/80

NOTE: The provisions of this law relating to campaign financing are summarized in section II.

Makes minor amendments to provisions relating to application for an absentee ballot. Specifies that no person is prohibited from mailing, carrying, or otherwise conveying absentee ballots to the county election officer upon the request of absentee voters.

Provides that when a registered voter changes his name by marriage, divorce, or legal proceeding, he must re-register in order to be eligible to vote, except that when a registered voter legally changes name during the period of thirty days preceding an election (formerly, during the period when the registration books are closed preceding an election), the voter shall be allowed to vote at that election if he first gives an affidavit to the election judges stating the facts concerning the change of name.

States that when a registered voter changes residence, he must re-register in order to be eligible to vote, except that when a registered voter changes residence from one place in a precinct to another place within the same precinct during the period of thirty days preceding an election (formerly, during the period when the registration books are closed preceding an election), the voter shall be permitted to vote at that election if he first gives an affidavit to the election judges stating the facts relevant to such change of residence.

SB 863, Approved 3/18/80

Includes "because of religious belief or practice" as one of the reasons an elector may choose to vote an absentee ballot on all offices, other than precinct committeeman or comitteewoman.

SB 864, Approved 5/7/80

Modifies the definition of "election forgery" to include the marking of any other person's ballot without such person's consent and the marking of any other person's ballot contrary to the direction of such person.

HB 319, Approved 4/16/80

Specifies that no local officer who has been recalled or who has resigned after a petition for recall has been filed, shall be eligible for appointment to fill the vacancy. If the officer is a member of a governing body, the person resigning shall be ineligible for appointment to any other position or office on the governing body until the current term of office has expired.

KANSAS CONT'D

HB 2961, Approved 4/8/80

States that the board of county commissioners and the county election officer of any county may provide an electronic or electromechanical voting system to be used in elections at county voting places.

Provides that any county in which the county election officer and the board of county commissioners have determined than an electronic or electromechanical voting system shall be used or in which a proposition to use an electronic or electromechanical voting system has been adopted, may issue bonds with which to finance and pay for purchase, lease or rental of such system.

Specifies that whenever the secretary of state rescinds approval of any voting system, the board of county commissioners and county election officers shall abandon the system until changes required by the secretary of state have been made. However, if the secretary of state advises that acceptable changes cannot be made, abandonment shall be permanent.

HB 2964, Approved 4/17/80

Provides that persons may apply for an application to register to vote by telephoning the county election officer as well as by applying in person or in writing.

Provides that the county election officer must remove a voter's name from the registration book whenever any of the following occur: 1) an obituary notice appearing in the county newspaper reports the death of a registered voter; 2) a registered voter requests in writing that such voter's name be removed from registration; 3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists; 4) the name of a registered voter appears on a list of deceased residents compiled by the secretary of health; or 5) a registered voter fails to vote in two consecutive state general elections.

Provides that the county election officer must not use or permit the use of the list of deceased residents for any other purpose.

Provides that meetings of the county central committee will be called by the county chairperson or by any other officer of the county central committee by mailing a notice of the meeting to each precinct committeeman and precinct committeewoman at least seven days before the date of the meeting.

Provides that meetings of the district party committee will be called by the district chairperson or district vice-chairperson by mailing a notice of such meeting to each member and alternate member of the district committee at least ten days before the date of the meeting.

KANSAS CONT'D

Provides that the meetings of the state committee of each party will be called by the state party chairperson or the state party vice-chairperson by mailing a notice to each member and alternate member of the state committee at least ten days before the date of the meeting.

Provides that meetings of city party committees for the purpose of organization will be called by the chairperson by mailing notice of such meeting to each precinct committeeman and precinct commmitteewoman at least seven days before the meeting.

KENTUCKY

SB 11, Approved 4/3/80

Provides that in the following instances officials must use certified mail, return receipt requested, repealing the option to use registered mail for notificaion: by the county board of election of its selection of a committee to nominate inspectors and challengers to serve at an election on a constitutional amendment or public question; by the secretary of state or the county clerk to the candidate who has filed erroneous nomination papers; by the secretary of state to persons whose names will appear as candidates at the Kentucky presidential primary; by the secretary of state to the county boards of election commissioners in the counties involved in election contests on any constitutional convention or amendment or statewide public question; of a candidate of the death, resignation or removal from office of the campaign treasurer.

SB 33, Approved 4/3/80

Specifies that the state board of elections (formerly the county clerk) shall prepare and issue a registration notification card to each elector registered after July 1, 1976.

States that at the time of reregistration each elector shall surrender any registration card in his possession to the county clerk and the state board of elections (formerly the county clerk) shall issue a new card. The state board of elections shall also issue a new card to any elector who loses his registration card and applies to the county clerk for a new one.

SB 366, Approved 4/9/80

See Section II for a summary of this law.

HB 24, Approved 4/3/80

Requires that the county clerk provide voter registration forms to each principal or assistant principal of every public high school, each vocational school, and upon request, private schools. A person in each school shall be designated as responsible for informing students and school personnel of the availability of the registration forms and assist them in registering with the party of their choice. The completed forms shall be returned to the county clerk for official registration.

HB 26, Approved 3/4/80

Specifies that after the polls are closed the sheriff and the judge from the opposite political party shall return the locked ballot box, all ballot stubs,

KENTUCKY CONT'D

spoiled ballots and unused ballots to the county clerk's office at the same time as the tabulation of votes from the voting machine is delivered.

HB 27, Approved 3/4/80

Provides that the county boards of elections must maintain the current boundaries of election precincts.

Specifies that if any county board of elections fails to perform the duties implicit in the maintenance of the current precinct boundaries, then the state board of elections must apply to the ciruit court of the county for a summary mandatory order requiring the county board to perform this duty.

Provides that this act will be repealed upon the termination of the 1982 regular session of the general assembly or upon the termination of any extraordinary session of the general assembly which enacts reapportionment and redistricting legislation, whichever occurs earlier.

HB 140, Approved 4/9/80

States that any qualified voter who will be absent from their county on any election day or any person incarcerated that has been charged with a crime but has not been convicted of said crime, may apply in person or by mail to the county clerk, not less than seven days before the election, for a special ballot. Such application shall be restricted to the use of the voter, the voter's spouse, the voter's parents or the voter's children.

HB 324, Approved 4/2/80

Provides that no person shall have his name printed on the regular election ballot for the office of mayor or commissioner without first being nominated.

States that write-in voting shall be permitted at the regular election. The nominee or write-in candidate and the four nominees or write-in candidates receiving the greatest number of votes shall be elected mayor and commissioners, respectively.

HB 340, Approved 4/3/80

Provides that prior to each primary election the county board of elections must review the boundaries of all election precincts where more than 700 votes were cast in the last regular election.

KENTUCKY CONT'D

Provides that the county board of elections must not be prohibited from dividing election precincts regardless of the number of votes cast in that precinct in the last regular election.

HB 353, Approved 3/28/80

Specifies that the county board of elections shall make every reasonable effort to designate voting places which are accessible to all eligible voters, including the elderly and the physically handicapped.

HB 438, Approved 4/3/80

Provides that political parties must select one of the alternate methods listed for distributing a pro rata portion of authorized delegate votes among party candidates for President.

LOUISIANA

SB 179, Act 43, Approved 6/5/80

Includes the three days preceding Easter in the list of holidays on which no election can be held. Provides that if the date of any election falls on any of the days included in this holiday list, the election will be held on the same weekday of the preceding week.

Adjusts the qualifying period for candidates in the primary election in those cases where the primary election date must be changed.

MAINE

SB 694, Public Law 639, Approved 3/13/80

Repeals sec. 1064 of t. 21 of the Maine Revised Statutes which deals with the bond requirement of a municipality in purchasing any voting device.

HB 1638, Approved 3/14/80

Proposes amendments to the constitution of Maine which become effective if adopted by the voters at the next general November election.

Provides that if any act, bill, resolve or resolution has been suspended by petition, the governor shall give notice by proclamation of the time when the measure is to be voted on at the next statewide (formerly general) election, not less than sixty days after such proclamation. If there is no statewide election within six months, the governor may order such measure submitted at a special election not less than sixty days (formerly four months) nor more than six months after the proclamation. If the governor fails to order such measure submitted at the next statewide election, the secretary of state shall order such election.

States that the electors may propose any bill, resolve or resolution to the legislature by written petition filed with the secretary of stae by 5:00 p.m. on or before the fiftieth day after the legislature convenes in the first regular session or on or before the twenty-fifth day after the legislature convenes in the second regular session. If the fiftieth or twenty-fifth day is a Saturday, Sunday or legal holiday, the period runs until 5:00 p.m. of the next day which is not a Saturday, Sunday or legal holiday.

Provides that the governor shall order any measure proposed to the legislature, and not enacted by the legislature without change, referred to the people at an election (formerly a special election) in November of the year in which the petition is filed.

Defines statewide election for purposes of the constitutional provisions concerning initiative and the people's veto to mean any election held throughout the state on a particular day.

Substitutes the term "people's veto" for the term "referendum" in art. IV, pt. 3 of the constitution of the state of Maine.

HB 1647, Public Law 638, Approved 3/13/80

Provides that the announcement of the name of the person who makes or finances the expenditure for an advertisement concerning a candidate or a measure appearing on the ballot may be either oral or visual. (Previously, a verbal announcement was required.) Amends sec. 1394 and sec. 1416 of the Maine election code.

HB 1720, Adopted 2/28/80

Proposes an amendment to the Maine constitution to bring into conformance the year in which the state house and senate are apportioned. Provides that the legislature which shall convene in 1983 (formerly, 1984) and every tenth year thereafter shall cause the State to be divided into districts for the choice of a senator from each district, using the same method as provided in the constitution for apportionment of representative districts.

HB 1774, Public Law 734, Approved 4/4/80

Relates generally to conflicts of interest in the executive branch and to financial disclosure requirements for policy-making executive employees. Requires each executive employee (defined to mean an appointed or an elected executive employee) to annually file with the secretary of state a sworn and notarized statement of finances for the preceding calendar year. Declares that the statements that are filed are public records. Requires a statement to indicate: (1) the category or type of entity or economic activity that is the source of income to him, his spouse, or dependent children that exceeds $300 during the year; and (2) if he is an attorney, the major areas of practice, and if associated with a law firm, the major areas of the firm's practice. An elective executive employee shall file an initial report within thirty days of his election. An appointed executive employee is to file an initial report prior to confirmation by the legislature. Each executive employee is to file the annual report prior to the close of the second week of April, unless he has filed in initial or updating report during the preceding thirty days. Each executive employee whose income substantially changes shall file a report of that change within thirty days of the change.

MARYLAND

SB 198, Chapter 11, Approved 2/29/80

See Section II for a summary of this law.

SB 199, Approved 2/15/80

Allows a political party not entitled to nominate candidates for public office by primary election to elect delegates and alternates at a party convention to represent it at its national convention.

SB 200, Approved 2/15/80

Changes the time period during which a presidential candidate who has been nominated in a primary election may withdraw his nomination. Such a candidate must withdraw within eighteen days after the deadline for filing certificates of candidacy, i.e., within eighteen days before 9:00 p.m. on the Monday which is ten weeks or seventy days before the primary date.

SB 650, Chapter 328, Approved 5/6/80

Provides that the secretary of state shall publish the following once a week for two weeks immediately preceding the general election at which the questions will appear on the ballot in at least two newspapers of general circulation within each county or in one newspaper if only one is circulated in a county and in three newspapers published in the City of Baltimore: (1) the ballot title of each constitutional amendment and each referendum question and (2) a brief statement summarizing each amendment and each question prepared in clear and concise language by the department of legislative reference summarizing each amendment and each question and approved by the attorney general unless another statement is included in the text of a bill proposing a constitutional amendment. Each statement shall be forwarded to the secretary of state by the attorney general not later than the third Monday in August immediately preceding the general election.

Specifies that in the case of laws referred by the general assembly to the voters in only one county or the City of Baltimore, to fulfill the advertising provisions of the constitution of Maryland a title and statement for each law shall be published once a week for two weeks immediately preceding the general election (1) in at least two newspapers of general circulation within the county; (2) in one newspaper if only one is generally circulated in the county; or (3) in three newspapers papers published in the City of Baltimore.

Requires that the complete text be posted in the office of each board of supervisors of elections and in the state board office for thirty days prior to the general election for public inspection during normal business hours.

MARYLAND CONT'D

Provides that copies of the complete text of all constitutional amendments and referendum questions be furnished by the state administrative board of election laws to the local boards of elections in quantities as determined by the state administrator of election laws. Anyone requesting a copy from a local board of election shall be mailed a copy without charge.

SB 941, Chapter 349, Approved 5/6/80

See Section II for a summary of this law.

SJR 1, Approved 4/8/80

Ratifies the proposed amendment to the United States Constitution relative to providing representation for the District of Columbia in Congress.

MASSACHUSETTS

SB 336, Chapter 168, Approved 5/22/80

Provides that children in the company of a voter may be admitted within the polling guardrail area unless the election officer in charge deems that admitting the child would disrupt order.

HB 4128, Chapter 134, Approved 5/5/80

Provides that a city or town registrar must inform a candidate for a city or town office if the district in which he seeks office is named incorrectly on the nomination papers. Allows such a candidate to change the district on the nomination papers provided that such a change is initialed by both the registrar and the candidate and provided that a written explanation of the change is made in three copies, of which one is attached to the nomination papers, one is retained by the registrar and one is retained by the candidate. Provides that if the correct district designation is not inserted, the nomination papers cannot be approved. Provides that in no case may a correction be made to change the office for which such candidate is nominated.

Provides that nomination papers for presidential elector must be filed on or before the first Thursday in June of the year in which a presidential election is to be held.

Repeals the section of the election code dealing with objections to nomination papers of candidates.

Provides that nomination papers of a candidate for the presidential primaries must be submitted on or before 5:00 p.m. of the fourteenth day before the final date for filing with the state secretary.

Provides that certification of nomination papers for candiates for state, ward, and town committees must be completed no later than the seventh day before the final day for filing.

Provides that for the purpose of certifying names on primary nomination papers before special elections the registrars must hold meetings on the two Tuesdays next preceding that primary.

Specifies that the state ballot law commission will have jurisdiction over, among other things, any matter referred to it pertaining to the statutory and constitutional qualifications of any nominee for state, national or county office; and the fraudulent or forged signing of statewide initiative or referendum petitions, or any other objection relating to the signatures on such petitions.

Provides that the state ballot law commission will not have jurisdiction regarding public policy questions, city or town candidates and ballot questions, except certain city initiative petitions.

Provides that sections of the election code relating to objections to certificates of nomination and nomination papers for candidates apply only to candidates for president who file nomination papers to be placed on the ballot at presidential primaries, and to all candidates at regular state primaries and biennial state elections.

Adds candidates for the following offices to the section which governs the timely objection to nomination papers and certificates of nomination: (1) President; (2) President elector; (3) representative and senator in the general court; (4) councillor; and (5) county officers chosen at a state primary or at a state election.

Provides that two members of the state ballot law commission will be appointed for terms expiring February 1, 1981, and two members for terms expiring February 1, 1982; their successors will be appointed for terms of two years.

HB 5893, Chapter 10, Approved 2/28/80

Provides that a state or county employee shall not be prohibited from holding an elective or appointive office in a city, town or district nor prohibited from performing the duties of or receiving the compensation provided for such office. Such official shall not vote or act on any matter which is within the scope of the agency by which he is employed or over which the employee has official responsibility.

HB 6325, Chapter 269, Approved 6/11/80

Requires that the registrar must communicate or visit residents and innholders in the city each January or February so that a list of residents who are 17 years of age and upward can be made. Specifies that each resident's name, date of birth, occupation and nationality (if not a citizen of the United States must be included in this list).

HB 6580, Chapter 379, Approved 7/3/80

Requires that each voter whose absentee ballot is rejected be notified of the reason for the ballot rejection, before the election, by the clerk.

MICHIGAN

SB 506, Act 140, Approved 5/29/80

Provides that in a city or township which uses voting machines, an absent voter may vote on a voting machine at the clerk's office during the thirteen days before an election.

Provides that the following safeguards will be put into effect to insure that the voting machine is secure: Two election inspectors must be appointed and must be present in the clerk's office during the time the office is open and the voting machine is present. When the voting machine is not in use it will be locked by key which will be in the custody of the clerk. When the office is closed the voting machine must be sealed by a numbered seal. The number of the seal must be recorded and signed by the clerk. When the office is reopened the seal must be examined and the number recorded as identical to the number shown on the record when the machine was sealed.

SB 798, Act 181, Approved 7/2/80

See Section II for a summary of this law.

HB 4399, Act 160, Approved 6/18/80

Provides that a person voted for on a party ballot for a state or local office or for the office of United States Senator or Representative, whose name is not printed on the ballot and who has not filed a nominating petition for the office voted for, will not be considered nominated as the candidate of the party for the office nor certified as a nominee unless the person receives a number of votes equal to a certain percentage of either the population or the greatest number of votes received for any office in the primary.

HB 4814, Act 61, Approved 4/1/80

Provides that the board of canvassers, which made the final canvass of the vote of the primary election, shall conduct a recount in a primary election involving a contest for the nomination of candidates for legislative office.

States that a candidate voted for an office at an election may petition for a recount of the votes if: (1) the office is one in which the votes are canvassed by the board of state canvassers or is the office of state representative or state senator; (2) the petition is written or printed and sworn to by the candidate; (3) the petition is filed with the secretary of state no later than forty-eight hours following the completion of the canvass of votes cast at an election; (4) the petition alleges the candidate is aggrieved on account of fraud or a mistake in the canvass of the votes by the inspectors of election or the returns made by the inspectors, or by a county canvassing board or the board of state canvassers;

and (5) the petition states the nature and character of the fraud or mistakes in the counties, cities, townships and precincts in which they exist and the counties, cities, townships and precincts in which the recount is requested. If the office is that of state representative, a copy of the petition should be filed with the clerk of the house of representatives; if the office is that of state senator, a copy of the petition shall be filed with the secretary of state.

Provides that the ballots petitioned for recount in a legislative contest be recounted for that office by the board of state canvassers and be preserved until the contest is disposed of under the rules of the legislative body which takes office in January following the contested general election. Ballots in a precinct petitioned for a legislative recount of a special general election shall be preserved until the contest is disposed of under the rules of the legislative body serving at the time the report of a recount for a legislative office is filed.

States that the board of state canvassers forward a report of the results of the recount to an appropriate legislative body.

Specifies that within forty-eight hours after a candidate has filed a petition and the deposit the secretary of state shall give notice of the petition to each opposing candidate by delivering a copy of the petition to each candidate or leaving a copy of the petition with a family member at the candidate's last known residence if the candidate cannot be found. If a family member cannot be found notice may be placed in a conspicuous place at the candidate's last known residence. States that a counter-petition may be filed no later than 4:00 p.m. of the seventh day after the first petition has been filed. A deposit shall also be made as for the original petitioner. The counter petitioner shall be entitled to have all deposit money refunded if the original petitioner does not establish fraud or receive a certificate of election.

HB 5175, Act 112, Approved 5/14/80

Provides that if authorized by law and after certain actions have been taken, a township may include library directors and park commission members in the list of elective township offices.

MINNESOTA

SF 129, Chapter 588, Approved 4/22/80

Proposes an amendment to the constitution of Minnesota specifying how the senate and house of representatives will be apportioned.

Provides that a law changing the number of senators or representatives will be effective on January 1 of the next year ending in the number one following enactment of the law.

Provides that the legislature will not prescribe the boundaries for the districts of senators and representatives or for the districts of representatives in the Congress of the United States.

Provides that a reapportionment commission, consisting of nine eligible voters of the state, will be established by March 15 in each year ending in the number one or when required by court order to draw the boundaries of legislative and congressional districts.

Provides that one commission member will be appointed by each of the following: a) speaker of the house; b) members of the house representing political parties other than the party represented by the speaker; c) president of the senate; and d) members of the senate representing political parties other than the party represented by the president. The remaining five members will be appointed by unanimous agreement of the legislative appointees.

Establishes the following standards to be followed when drawing boundaries of legislative and congressional districts. There is to be one district for each state representative, state senator, and representative in Congress. All districts of the same kind will be as equal in population as practicable. Districts will be composed of compact and contiguous territory. Boundaries will follow the boundaries of local governmental units where practicable. Natural and man-made physical boundaries will be followed where practicable. No apportionment plan will be drawn for the purpose of favoring any person or political party.

Provides that an apportionment plan, which must be adopted not later than December 1 in years ending in the number one, is approved by a positive vote of at least six commission members.

Provides that the state supreme court will exercise original jurisdiction in any matter relating to apportionment. Provides that if the commission fails to adopt an apportionment plan within the time specified, the supreme court will adopt its own plan.

Provides an extended period for establishing residence for legislative candidates if an apportionment plan for legislative districts is adopted by the supreme court later than April 1 of a general election year.

Provides that this amendment will be submitted to the people at the 1980 general election.

MINNESOTA CONT'D

Defines political party as the political party or political principle by which a legislator was designated on the general election ballot when the legislator was last elected.

Provides that not more than five members of the commission will be residents of the metropolitan area and not more than five will be residents of the area consisting of the remainder of the state.

Provides that except for certain specified individuals, an individual cannot be appointed or cannot serve as a member of the commission if he or she: a) holds or has held within two years prior to appointment, an elected or appointed office in the executive, judicial or legislative branch or in an independent agency of the federal or state government; b) is or has been within two years prior to appointment an officer of a campaign committee of a candidate for state or federal office or an officer of a political party other than a precinct officer; c) is an employee of the legislature or Congress; d) is a member of the immediate family of a legislator or representative in Congress; or e) is or has been within two years prior to appointment a lobbyist.

Provides that no individual appointed as a member of the commission will remain a member if he or she becomes a candidate for any elective state or federal office.

Specifies when and how the persons specified by the constitution to submit names of commission appointees will certify these names to the secretary of state. Provides that the secretary of state will notify the chief justice of the supreme court if certification is not received within the required time.

Vacancies on the commission other than those resulting from a failure to appoint a member within the time provided by law will be filled by the appointing authority that made the original appointment.

Provides that the secretary of state will specify the time and place for the commission meeting. Details the procedures to be followed at this meeting including the fact that the proceedings, materials and minutes of the commission are open to the public.

Provides that commission members may be removed from the commission by the supreme court upon petition filed by an eligible voter and after a hearing and upon finding by a preponderance of the evidence that the member: a) has been convicted, during his membership, of a gross misdemeanor or felony; b) is unqualified to serve because of present or prior governmental service or close relationship to a legislator in Congress; c) is physically or mentally incapable of serving; or d) is unwilling to serve (failure to attend three successive meetings of the commission or failure to attend a total of six meetings of the commission is prima facie evidence of unwillingness to serve).

Provides that an apportionment plan adopted by the commission will include the following items: a) a written description of each district drawn by the commission; b) a map of each district showing the name and location of each public road and each local governmental unit boundary; c) a map of the state showing all of the districts drawn by the commission; d) a statement of the deviation in population of all districts of that kind; e) a justification of any population deviation described in (d) which exceeds one-half of one percent for congressional districts or five percent for legislative distrcts; f) an explanation of the standards used by the commission to draw the districts; and g) any other informaton which the commission deems relevant to the plan.

Provides that an apportionment plan must be adopted not later than September 1 of the year in which the commission is established. Provides that the commission must file the plan with the secretary of state within five days of its adoption.

Provides that a commission will be called when either the number of the state's representatives in Congress is changed by federal law or a federal court order requires adoption or amendment of an original plan.

Specifies that the commission will submit any adopted apportionment plan to each county auditor and each newspaper of general circulation, and each radio and television station in the state. The commission shall prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

SF 1010, Chapter 362, Approved 3/18/80

See Section II for a summary of this law.

HB 1121, Chapter 607, Approved 4/23/80

See Section II for a summary of this law.

HB 1601, Chapter 400, Approved 3/31/80

States that an employee may absent himself from his work to attend any meeting of the state central committee or executive committee of a political party if the employee is a member of the committee, or to attend any convention of political party delegates including meetings of official convention committees if the employee is a delegate or alternate delegate to that convention, upon giving at least ten days written notice to his employer. An employee who gives proper notice shall suffer no penalty or deduction from his salary or wages on account of his absence other than a deduction in salary or wages for the actual time of absence from employment.

HB 2051, Chapter 406, Approved 3/31/80

Provides that any person elected to public office shall be permitted time off from regular employment to attend meetings of his public office. States that when time is taken off without pay, the employer should make an effrot to allow the employee to make up the time when the employee is available.

HB 2304, Chapter 587, Approved 4/22/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Proposes an amendment to the Minnesota constitution which, if adopted by the people, would permit a law to be initiated or referred for repeal upon petition by eligible voters. The constitutional amendment would provide for placement of an initiative or referendum measure on the ballot at a general election if petitions for the measure are signed by eligible voters in each congressional district of the state in a number not less than five percent of the persons who voted at the last general election in that congressional district. The measure would be considered adopted if voted for by a majority of those voting on the question. Would prohibit voters from initiating or referring for repeal a constitutional amendment, an appropriation or a special law. This constitutional amendment, if adopted, would expire January 1, 1985.

Enacts the Initiative and Referendum Implementation Act, which is effective upon ratification of the proposed constitutional amendment permitting initiative and referendum measures. The Implementation Act would expire January 1, 1985. Requires the sponsors of an initiative or referendum to file a declaration with the secretary of state not later than Mach 1 of an odd-numbered year before circulating petitions to have a measure placed on the ballot. Specifies the contents of the declaration. Directs the sponsors to pay to the secretary of state a filing fee of $200.

Prohibits any initiative of referendum measure from relating to more than one subject.

Permits initiative and referendum petitions to be circulated only in odd-numbered years and no sooner than the ninth day after the secretary of state approves the petition. However, the sponsors may engage in organizational activity and undertake certain other preliminary steps prior to circulation of the petitions. Requires the sponsors to file the signed petitions with the secretary of state by October 1 of the year in which the petitions are circulated.

Provides that voting on initiative or referendum measures shall be held only at a general election.

Provides that political advertising relating to an initiative or referendum shall indicate the name of the person or committee responsible therefor. Media advertising shall also prominently indicate that such is paid advertising, and shall state the amount paid for the advertisement or that the same is being paid for at regular advertising rates. Provides that the charges for advertising concerning an initiative or referendum shall not exceed charges for comparable advertising.

MISSISSIPPI

HB 682, Chapter 486, Approved 5/8/80

Provides that the persons appointed by the commissioners of election as managers of the election for each election district must be residents of the precinct in which the polling place is located.

Provides that the clerks appointed by the managers of election must be residents of the precinct in which the polling place is located.

HB 883, Chapter 373, Approved 4/25/80

Provides that if chapter 452 of the Mississippi session laws of 1979 is put into effect under section 5 of the Voting Rights Act of 1965, then section 1 of this act will be repealed and section 2 of this act will be effective. If chapter 452 is not put into effect under section 5, and after the Attorney General of Mississippi has exhausted all options under the Voting Rights Act, then section 2 of this act will be repealed and section 1 of this act will be effective. Chapter 452 is an act to provide the method of qualifying a candidate for pubic office in the state; to provide for the time of holding general and preferential elections in certain cases and to determine which persons are elected; and to set the deadline for candidates to file their intent to be a candidate in municipal elections and other related matters.

Section 1 - Provides that any otherwise qualified candidate for councilman will be deemed to be qualified in whatever ward he or she resides if his or her ward has changed after the council has redistricted the municipality as provided below. Provides that if the wards have been so charged any person may qualify as a candidate for councilman, using his or her existing residence or by changing his or her residence, not less than fifteen days prior to the first party primary.

Provides that the council must redistrict a municipality not later than twenty days prior to the first party primary if the publication of the most recent decennial census occurs less than six months prior to the first party primary of a general municipal election.

Provides that if the publication of this census is not received by the council in time to redistrict the municipality at least twenty days prior to the first party primary, then the municipality must be redistricted not later than twenty days prior to a special party primary.

Provides that if the census is not received in time to redistrict the municipality as provided above, the mayor and councilmen will be elected by the voters at a special general municipal election held on the fourth Tuesday after the first Monday in June and a special party primary will be held on the second Tuesday after the first Monday in June.

Section 2 - Section 1 and section 2 are the same except as follows: (1) the terms

MISSISSIPPI CONT'D

"first party primary" and "special party primary," which are used in section 1, have been replaced by the terms "preferential election" and "special preferential election," respectively; and (2) section 2 deletes the six month grace period to comply with redistricting requirements which the present law allows the council before the council members' salaries are withheld.

MISSOURI

SB 658, Approved 5/30/80

Regulates elections on statewide ballot measures.

Provides the form of each page of a referendum petition on any law passed by the general assembly and the form of each page of an initiative petition for any law or amendment to the state constitution.

Specifies that it is a class A misdemeanor for persons to sign a referendum or initiative petition with any name other than their own, or to knowingly sign their name more than once for the same measure for the same election, or to sign a petition when they know that they are not registered to vote.

Provides that each page of an initiative or referendum petition must contain signatures of voters from only one county.

Provides that each petition circulator must be a Missouri registered voter and a resident of Missouri.

Provides that any voter may withdraw his or her signature by submitting an affidavit of withdrawal to the secretary of state before the petition is certified as sufficient or insufficient.

Allows the secretary of state to adopt rules to ensure uniform, complete, and accurate checking of petition signatures.

Provides that the secretary of state must give notice to the person designated on the petition, of signatures that will not be counted because of apparent forgery, fraud or failure to comply with the regulations which govern petitions. This notice must be given within three days of determining which signatures will not be counted.

Specifies which entity must provide a fiscal note summary for the official ballot after certain proposals have passed the general assembly or after the secretary of state certifies certain petitions.

Outlines procedures to be followed by any citizen who wishes to challenge the official ballot title or the fiscal note summary and fiscal note for a proposed constitutional amendment, initiative petition or for a statutory initiative or referendum measure. Provides that any citizen may bring a court action to compel the secretary of state to reverse his or her decision on the sufficiency or insufficiency of petition signatures.

SB 734, Approved 6/9/80

Specifies the day and months in which all public elections can be held except that school districts may hold special levy elections on the first Tuesday after the first Monday in October.

NEBRASKA

LB 535, Approved 4/17/80

See Section II for a summary of this law.

LB 601, Approved 3/13/80

States that when there is a vacancy in the office of mayor the president of the council shall serve as mayor for the unexpired term. However, if at least one half of the previous mayor's term remains, a successor shall be elected at the next general election.

Specifies that a petition demanding removal of an officer be submitted to the registered voters of the county or district and filed with the county clerk. Petitions shall be procured from the county clerk after an affidavit is filed. A record shall be kept by the county clerk or election commissioner as to whom the petition papers were issued and the date.

States that within thirty days after the affidavit is filed, the recall petition shall be filed with the county clerk or election commissioner and within ten days after the filing of the petition, it shall be determined whether the petition was signed by the requisite number of registered voters. If the petition is found to be sufficient, it shall be submitted to the county board at its next regular meeting and shall notify the officer whose removal is sought of such action. If such officer does not resign within five days after such notice, within ten days of the receipt of the certificate the county board shall order an election to be held not less than thirty nor more than forty-five days thereafter, or the election shall be held at the next primary or general election if one is to be held within the next ninety days.

Specifies the ballot format at recall elections.

NEW JERSEY

SB 1134, Chapter 458, Approved 2/27/80

Provides that members of the municipal and county committees of political parties must be residents of the districts or units from which elected. If a member ceases to be such a resident a vacancy on that committee will exist.

SB 1176, Chapter 74, Approved 7/23/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Directs the state public broadcasting authority to promote full discussions of public issues by the candidates for governor in both the primary and the general election. Requires the authority in a primary to make available at least two hours of time on its stations for joint appearances by the candidates, and at least fifteen minutes of time on its stations for individual appearances by each candidate. In a general election, the authority is to make available at least one hour of time for joint appearances, and at least one additional hour for individual appearances by each candidate.

SB 3383, Chapter 467, Approved 2/27/80

Specifies that no person may run for more than one office at the same general election if he could not legally hold such offices together after the election.

SB 3415, Chapter 393, Approved 2/6/80

Specifies that during the month of March of each year the commissioner of registration in all counties shall arrange and conduct registration in each public and non-public high school in the county, of all students who are eligible to register to vote in the next election. A report shall be completed by the commissioner of registration concerning the number of students registered during the month. Copies of such report shall be forwarded to the secretary of state.

AB 3523, Chapter 423, Approved 2/8/80

Provides that the committee on resolutions appointed by the state convention of each political party shall prepare a tentative party platform and furnish it to each member of the convention within seventy-five days (formerly three weeks). A minimum of three public hearings shall be held by the committee on resolutions throughout the state. Also provides that the state convention of each political party shall adjourn and meet again no later than ninety days after the initial adjournment at its original set meeting place. The date of adjournment shall be set by the state chairman of each political party and notice of the date shall be furnished to each member no later than fifteen days prior to such adjourned meeting.

NEW MEXICO

SB 63, Chapter 43, Approved 2/28/80

Amends and repeals certain sections of the presidential primary act.

Includes as members of the presidential primary candidates nominating committee, the state chairmen of the major political parties which will participate in the presidential primary. Requires that the nomination and certification of the candidates to the secretary of state occur by February 15.

Requires notification by certified mail by the secretary of state to each candidate nominated by the committee or by petition that his or her name will be included on the presidential primary ballot unless a written request of omission is received by that person at least fifty days before the election.

Provides that under most circumstances the placement of candidates on the ballot will be in two groups, the first group consisting of candidates who are nominated by committee or petition with each candidate's position determined by lot, and the second group made up of the uncommitted category.

Requires that the secretary of state notify the state chairman of each political party participating in the primary of the following information: 1) the names of all candidates and the uncommitted category; and 2) the total vote and the percentage of the total vote for each candidate or the uncommitted category.

Requires delegates to file with the state chairman of his or her political party a written declaration of acceptance as a delegate to the national convention at least fifteen days before the convention; requires the chairman to forward the declaration to the secretary of state by ten days before that convention.

Outlines the procedures under which the delegates to the national convention are required to cast their votes. Changes the delegate's pledge to vote on the first ballot for the nomination for president in accordance with these new procedures. Specifies that any delegate representing the uncommitted category may vote for any candidate at the national convention or remain uncommitted.

Repeals the provision which required the secretary of state to certify to the credentials committee at the national conventions of each political party the list of names of qualified delegates.

HB 136, Chapter 13, Approved 2/14/80

Adds the state chairmen of the major political parties participating in the presidential primary to the list of committee members who nominate the presidential primary candidates, and requires such committee to certify the names of the nominees to the secretary of state not later than February 15 before the primary election (formerly ninety days before).

NEW MEXICO CONT'D

Requires a candidate to notify the secretary of state at least fifty days prior to the primary election if he wishes to withdraw his name from the ballot.

Establishes the placement of candidates' names on the primary election ballot. Candidates in the presidential primary shall appear with the candidates of the same party for other offices; candidates nominated by committee and petition shall appear first, their placement determined by lot, unless the balloting order has been determined by the party's pre-primary nominating convention.

Requires the secretary of state to notify the state chairman of each political party participating in the primary of the names of all candidates and uncommitted delegations and the total vote and percentage of the total vote received by each candidate or delegation, and that each party select its allotted delegates according to its party rules.

Establishes the manner in which the chairman of each party's delegation will apportion the delegate vote and requires that any votes released before the first ballot by the written release or death of the candidate be allotted to the uncommitted delegation.

Changes the filing deadline for delegate pledges: the delegate must file with the state chairman of his political party at least fifteen days, and the state chairman must submit it to the secretary of state at least ten days, before the national convention.

Requires that a delegate be affiliated with the party he represents at least forty-five days prior to the presidential primary election.

Repeals a provision which required the secretary of state to certify the list of delegates and alternates to the credentials committee of each political party participating in the presidential primary election.

NEW YORK

SB 7207, Chapter 5, Approved 2/14/80

Provides that paper ballots may be used for any village election held on March 18 or 25, 1980.

SB 8028, chapter 305, Approved 6/19/80

Changes the number of days prior to a district election that candidates for district office must file their names with the secretary of the board of commissioners from at least ten to at least eleven days.

HB 8768, Chapter 14, Approved 3/10/80

Provides that all voting machines used in a village election held within thirty days of the twenty-fifth day of March, 1980, will remain locked for at least seventy-two hours after the election. Provides that if any candidate in that election files a certificate of objection with the village clerk within twenty-four hours after the close of the polls, to having the voting macnines unlocked, the voting machines will not be unlocked for at least thirty days after the election.

AB 8510, Chapter 167, Approved 5/29/80

States that the board of trustees of a village which is entirely in one county may adopt a resolution subject to a referendum providing that village elections shall occur on the day of the general election and be conducted by the board of elections. However, all the election districts contained within such village must be wholly within such village.

AB 10422, Chapter 666, Approved 6/30/80

Repeals the requirement that a medical certificate must be included in a voter application for inclusion on a permanent absentee ballot mailing list because of permanent illness or physical disability.

NORTH CAROLINA

SB 1087, Chapter 1242, Ratified 6/25/80

Provides that counties which have voter registration lists stored on electronic data processing equipment shall furnish to political parties lists once in each odd-numbered year, once during the first six calendar months of each even-numbered year and once during the last six months of each even-numbered year.

HB 1638, Chapter 1325, Ratified 6/25/80

Authorizes the executive secretary-director of the state board of elections to permit the use of paper ballots for voting for the office of President of the United States in precincts where the voting machines are used for all other offices in the November 4, 1980 election.

OHIO

SB 251, Approved 4/2/80

See Section II for a summary of this law.

OKLAHOMA

HB 1576, Approved 6/13/80

Provides that the secretary of each county election board or a designated voting registrar may visit county high schools once a year to register eligible students. Specifies that the local school board must agree to this visit.

PENNSYLVANIA

SB 543, Act 127, Approved 7/11/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Specifies that a person who has been nominated by any political, party or political body for a special election may withdraw his name from nomination by a request filed within seven (formerly, three) days of the last day for filing nomination certificates or papers. Provides that a candidate for nomination or election at a primary may withdraw his name as a candidate by a request to be received in the office of the secretary of the commonwealth or the office of the county board of elections by the end of business on the fifteenth (formerly, seventh) day after the last day for filing nomination papers.

Specifies a procedure for a person nominated by a political body to withdraw his name from nomination. (Formerly, such a candidate would withdraw in the same way as a person nominated by a political party.) Provides that a person nominated by any political body as a candidate for presidential elector, United States Senator, Representative in Congress, or for any state office (including that of senator, representative and judge of a court of record) may withdraw his name from nomination by request in writing signed by him and acknowledged before an officer qualified to take acknowledgment of deeds and filed in the office of the secretary of the commonwealth. Any person who has been similarly nominated as a candidate for any other office may withdraw his name from nomination by a similar request, filed with the county board of elections of the proper county. Such written withdrawals shall be filed with the secretary of the commonwealth or the county board of elections not later than the ordinary closing hour of said office on the seventh day next succeeding the last day for filing nomination papers for the office. Provides that no name so withdrawn shall be printed upon the ballot or ballot labels. Prohibits a candidate from withdrawing a withdrawal notice that has already been received and filed and thereby reinstating his nomination.

Provides that upon petition to the court of common pleas, or the commonwealth court, by a candidate for nomination or election, or in the case of the death of the candidate by the treasurer of his political committee, the court shall order the withdrawal of the candidate's name for nomination or election, except upon a showing of special circumstances.

Provides that the affidavit filed by candidates for certain offices with their nomination papers pursuant to t. 25, sec. 2870 of the Pennsylvania Statutes Annotated, shall include a statement by the candidate that he is aware of the provisions of the election code requiring pre-election and post-election reporting of campaign contributions and expenditures.

HB 2104, Act 129, Approved 7/11/80

See Section II for a summary of this law.

RHODE ISLAND

SB 2535, Chapter 309, Approved 5/15/80

Provides that each principal of a public or private high school and director of each vocational school may be a registration agent with authority to receive registrations from qualified applicants who are students or employees within the school.

Provides that the principal or director may designate one or more persons in the school to serve as registration agents with the same authority as the principal as long as that designation is filed with the local board for the city or town where the school is located.

HB 7511, Chapter 381, Law Without Approval 5/19/80

Specifies the procedures to be followed for special referenda elections.

Authorizes the secretary of state to rephrase a question which has been passed by the general assembly and which will appear on the ballot, so that the question can be clearly understood by the voters. Provides that a proposed amendment to the state constitution is the only question which must contain the full text as adopted by the general assembly.

Provides that local questions must be printed on a distinctive colored background.

Provides that the secretary of state must mail to each registered voter, prior to the election, copies of the full text of each legislative act which will be voted on by the electorate and which applies to the state at large. The secretary must also include in this mailing the designated number of the question appearing on the ballot, a brief caption of the question appearing on the ballot, and a brief explanation of the measure.

Provides that voting machines must be used when voting concerns a proposed amendment to the state constitution or a statewide public question.

Creates an eleven member study commission appointed by various designated officials, to study the different kinds of voting systems and equipment available for referenda, general and special elections and primaries.

HB 7515, Chapter 388, Law Without Approval 5/19/80

Repeals the requirement that voters must certify that they are bona fide members of a specific political party at the same time that they sign nomination papers endorsing approval of the candidates.

HB 7818, Chapter 391, Approved 5/16/80

Changes the boundaries of certain state senate and representative districts.

SOUTH CAROLINA

SB 475, Approved 1/21/80

Requires the election of a county governing body from single-member districts, unless otherwise determined by referendum, in a county in which the governing body was appointed rather than elected immediately prior to June 25, 1975.

Authorizes the general assembly to prescribe the form of government of a county, the manner of election, and number and terms of council members, if the governing body of a county is declared illegal. Allows the general assembly to determine by referendum the wishes of the electorate regarding the form of government, manner of election and number and terms of council members.

Directs the general assembly to reapportion all electoral districts within one year of the adoption by the state of the federal census, but allows the general assembly to delegate reapportioning authority to county councils.

Permits the salaries of supervisors to be increased during their terms of office, but prohibits supervisors from voting on the salary question when it is considered by the council.

SOUTH DAKOTA

SB 62, Approved 2/8/80

Repeals the South Dakota presidential preference primary (South Dakota Compiled Laws, sec. 12-6A-1 et seq.).

SB 106, Approved 2/8/80

See Section II for a summary of this law.

HB 1015, Approved 2/27/80

Provides that any registered voter who expects to be or may be absent outside the state or the United States on the day in which an election is held or who may be within the state on the day of any election but because of illness, temporary or total disability, observance of a religious holiday, resident attendance at school, college or a university or because of the nature and hours of his employment, and is not otherwise disqualified by law from voting in such election, may vote by absentee ballot.

States that a person who desires to vote by mail may apply to the person in charge of the election for an absentee ballot at any time at least seven days prior to an election.

Provides that a voter may apply for an absentee ballot in person during the seven days before the election up to 3:00 p.m. of the day of the election.

Specifies that in case of sickness or confinement, a qualified voter may apply in writing for an absentee ballot by authorized messenger. The person in charge of the election is authorized to issue such ballot to be delivered to the voter.

Requires an authorized messenger for more than one voter to notify the person in charge of the election of all the voters for whom he is a messenger.

Provides that if the envelope containing the enclosures to vote is not delivered personally by the person in charge of the election or an authorized messenger filling the voter's request for an absentee ballot, it shall, except for federal service voters, be mailed by first class mail.

Specifies that upon the return of the absentee ballot, the person in charge of the election shall provide authorized messengers with a receipt upon delivering the absentee ballots.

States that a record shall be kept by the person in charge of the election of the name of the authorized messenger requiring an absentee ballot to be delivered to another voter.

SOUTH DAKOTA CONT'D

HB 1062, Approved 2/8/80

Provides that each voter signing a nominating petition, a referendum petition, or a peition proposing an ordinance may indicate by ditto marks the residence mailing address and the date on which the petition was signed if this information is the same as that last written above his signature.

HB 1069, Approved 2/19/80

Deletes a provision from the election code which required the secretary of state to request the annual involvement of the clerk of the U.S. district court in updating voting records.

HB 1070, Approved 2/19/80

See Section II for a summary of this law.

HB 1144, Approved 2/19/80

See Section II for a summary of this law.

HB 1247, Approved 2/11/80

Prohibits a candidate for the office of U.S. Senator or Representative in Congress from filing a certificate of nomination to run in the general election if he was defeated in the primary election.

HR 1002, Adopted 2/14/80

Provides for the appointment of a special committee to conduct a study of the 1981 apportionment of the South Dakota legislature and seats in the House of Representatives.

HCR 1001, Adopted 1/28/80

Directs the local government study commission to conduct a thorough review of all election statutes in an effort to consolidate them under fewer titles of the South Dakota Codified Laws and to include the results of this review in its report to the next legislature.

TENNESSEE

SB 212, Chapter 483, Approved 2/22/80

Requires the chairperson of each statewide political party to certify to both the secretary of state and the coordinator of elections: (a) the number of delegates to the national convention allocated by the national party to be elected by the state party; and (b) the number of delegates allocated to the state party by the national party to various congressional districts in the state, and the number of delegates-at-large allocated by the national party to the state party.

Requires that when a political party has allocated three delegates from each congressional district by national party rules, at least one-third (formerly one-fourth) of a party's at-large delegates be elected by popular vote.

Adds a provision which ensures that the candidate who receives the greatest number of primary votes will not receive fewer district and at-large delegates than the candidate with the next greatest number of votes.

Requires that petitions for a candidate for delegate to the national convention of a political party contain the name and address of the candidate, and that the petitions be verified by the commissioner of elections.

Changes the deadline for filing or mailing of nominating petitions by candidates for election as delegates to the national convention of a political party from the second to the third Tuesday in March of a presidential election year.

SB 1552, Chapter 580, Approved 3/19/80

States that any member of the General Assembly is authorized to witness postcard registration forms in any county which he represents, provided he has filed a sample of his signature with the local election commission prior to such witnessing, unless the member is otherwise qualified as a witness.

SB 1558, Chapter 675, Approved 4/13/80

States that after any alteration of precinct boundaries, the county election commission shall immediately give written notification of such changes to the office of local government, comptroller of the treasury.

Adds to the duties of the office of local government the compiling and maintaining of precinct maps of all precincts in the state, the updating of such maps at least once every three years and providing copies of such maps upon request to any citizen at cost.

SB 1562, Chapter 676, Approved 4/3/80

Changes the day that a notice of election on the abolition of a town or city charter must be publicized from twenty to thirty days before the election.

TENNESSEE CONT'D

Provides that such an abolition election will be held in conjuction with the next scheduled city or county-wide election, primary or referendum which is held forty-five days after the petitions for abolition are filed with the election commission.

SB 1567, Chapter 678, Approved 4/3/80

Provides that when elections are being held in two or more voting districts within any one county, the time period for registration and alteration of permanent registration records shall be separately calculated for each election. Registration and alteration of permanent registration records shall not be prohibited in one election because it is twenty-nine days prior to another election within the same county.

SB 1572, Chapter 883, Approved 5/1/80

Provides that the governor must order a special election within ten days of the occurrence of a vacancy in the office of Representative in Congress.

SB 1802, Chapter 590, Approved 3/19/80

Provides that in a run-off election following a primary election for municipal office, such run-off election may not be held less than thirty days following the primary election. The county election commission shall provide absentee voting in such run-off election.

SB 2316, Chapter 712, Approved 4/3/80

Requires that the main office of the county election commission, in counties having a metropolitan form of government, be open for four consecutive Saturdays preceding the date for the close of registration prior to any election set by statute. However, if any of these Saturdays should conflict with a holiday weekend when all county offices are closed, this requirement shall not apply for that Saturday if the county election commission gives notice of the closure by advertisement in a local newspaper of general circulation throughout the county.

HB 565, Chapter 715, Approved 4/3/80

Requires that there be a supplemental registration location for every 25,000 (formerly 30,000) people in the county.

Provides that in counties having a population of 100,000 or more, the county election commission shall conduct at least one supplemental voter registration each month in the last two working days in which automobile registrations are accomplished to be held adjacent to the county clerk's office where automobile licenses are sold.

HB 945, Chapter 861, Approved 5/1/80

See Section II for a summary of this law.

HB 1049, Chapter 543, Approved 3/12/80

Permits counties (except those having a population of over 600,000 and those having a metropolitan form of government) to extend the 100 foot boundary within which the display or distribution of certain campaign material and solicitation of votes are prohibited.

HB 1646, Chapter 649, Approved 3/27/80

States that if the date for an election on a question falls within thirty days of a regular primary or general election being held in the jurisdiction voting on the question, the date of the election may be reset to coincide with the regular primary or general election, even though it may be outside of the time period established. All dates dependent on the date of the election shall be adjusted accordingly and any acts required to be done by these dates shall be performed timely if done by the adjusted dates.

Specifies that if it is necessary to hold a special election to fill a vacancy in the United States House of Representatives, state general assembly, county office or a municipal office and the date for such election falls within thirty days of a regular primary or general election being held in that district, the governor or county election commissioner (for county and municipal offices) may adjust the date of the special election to coincide with the regular primary or general election. All other dates dependent on the date of the election shall be adjusted accordingly and any acts shall be timely done if performed in accordance with the revised dates.

States that all polling places shall open by 8:00 a.m. (prevailing time) for a minimum of ten continuous hours but no more than thirteen (formerly twelve) hours. States also that at the discretion of the county election commission the polls may open at an earlier time.

HB 1672, Chapter 638, Approved 3/26/80

Deletes the section of the election code which requires all persons other than hospitalized, sick or disabled voters to submit a certificate of non-registration to obtain an absentee ballot.

TENNESSEE CONT'D

Provides that all full-time students in an accredited college in the state but outside the county where registered, must submit a certificate of non-registration when applying to vote by mail with an absentee ballot.

Provides that it is no longer necessary that a physician's statement be a sworn statement when an elector wishes to be included on a permanent absentee voting register. Provides that this statement is under the penalty of perjury.

Changes the procedures for processing the absentee ballot applications of certain individuals who are full-time residents of any licensed nursing or retirement home which is located outside of the county where they are registered to those procedures followed for voting absentee by mail.

Permits a registered voter to cast his vote by absentee ballot by personal appearance at the county election commission office if that person will be unable to appear at his polling place on election day due to hospitalization, illness or physical disability.

Provides that full-time residents of any licensed nursing or retirement home are excepted from the requirement of voting at the polling place or absentee by personal appearance at the commission office for the first election participated in after registering by mail.

Provides that deptuty registrars sent to licensed nursing or retirement homes to process and attest absentee ballot applications and ballots are also required to assist disabled, illiterate or blind voters following the procedures stipulated in the election code.

States that except as otherwise expressly provided, the attestation of an absentee ballot envelope of a voter voting with assistance must be witnessed by two persons, signing their names and addresses. Also states that except as otherwise expressly provided, the witnessing signatures and addresses of two persons must accompany the written name of the voter and the signature of the person assisting a disabled voter who is unable to sign his or her name or make a mark.

HB 1673, Chapter 609, Approved 3/19/80

Specifies that the county election commission shall seal and mail or deliver in person the original of the official tabulation and certification of results to the secretary of state, the first copy to the governor and the remaining copy shall be filed with the county clerk. In the case of a general election for the office of governor, an additional copy of the returns shall be sent directly to the speaker of the Senate.

States that the county election commission shall deliver the official tabulation and certification of results as follows: 1) in an election of a county official, the original copy to the coordinator of elections and the copy filed with the county clerk; 2) in an election for a municipal office, the original copy to the chief administration offices of the municipality and the copy filed with the county clerk; 3) if a question, the original copy to the cooridnator of elections and the copy to be filed with the county clerk; and 4) the original copy to the coordinator of elections, a copy mailed to the chairperson of the political party's state executive committee and the remaining copy to the county clerk.

Provides that the official tabulation and certification of results forms shall be furnished by the coordinator of elections and the county election commission. The county election commission shall issue certificates of elections to each person elected except those to be commissioned by the governor.

Specifies that boards and commissions established shall meet on the call of their chairpersons, or if there is no chairperson, the eldest member in age. Specifies that all meetings shall be open.

Deletes Saturday from being included in the computation of time within which any act is to be done.

HB 1779, Chapter 772, Approved 4/3/80

Provides that in each county with a population of 100,000 or more, the county election commission shall conduct at least one supplemental voter registration each year at every public and private high school in the county for at least four hours for the purpose of registering those persons who will be eligible to vote in the next election.

HB 1867, Chapter 725, Approved 4/3/80

Deletes the existing definition for "election" and substitutes the following definition: a general election for which membership in a political party in order to participate therein is not required.

Defines "primary election" as meaning an election held for a political party for the purpose of allowing members of that party to select a nominee or nominees to appear on the general election ballot.

HB 1935, Chapter 728, Approved 4/3/80

Provides that any person whose registration by mail was rejected because of lack of a proper witness may come to the commission office before the twenty-fourth day prior to the election and present his rejection of registration notice to the registrar. Such person shall be registered to vote at that time if otherwise eligible to register.

HB 2106, Chapter 658, Approved 3/27/80

Requires that if any member of the county legislative body accepts the nomination as a candidate for the office of county executive, sheriff, trustee, registrar, county clerk, superintendent of roads, superintendent of schools, circuit court clerk, assessor of property or seat in the general assembly and fills the office, such member shall automatically become disqualified to continue in office as a member of the county legislative body.

HB 2131, Chapter 789, Law Without Approval 4/17/80

Enacts the Tennessee State Employees Uniform Nepotism Policy Act of 1980. Provides that within each governmental entity, no state employees who are relatives are to be placed within the same direct line of supervision whereby one relative is responsible for supervising the job performance or work activities of another relative. However, to the extent possible, the provisions of this act are not to be construed to prohibit two or more such relatives from working within the same state governmental entity. Specifies that the act is not to be applied retroactively but is to be adhered to by each governmental entity in all hiring and employee transactions subsequent to the effective date of the act (July 1, 1980).

HB 2163, Chapter 804, Law Without Approval 4/21/80

Provides for the appointment of precinct registrars who shall be inhabitants of and registered voters at a polling place in the county (having a population of less than 600,000). Inspectors shall also be inhabitants of and registered voters at a polling place in the county.

Specifies that in counties having a metropolitan form of government the county election commission may appoint persons as precinct registrars who shall be registered voters at a polling place within each legislative district. Inspectors shall also be registered voters at a polling place in the legislative district.

HB 2393, Private Chapter 238, Approved 3/26/80

Directs the officer of elections for each polling place in Rhea County to measure off 200 feet from the entrances to each building in which any election in the county is to be held and to place boundary signs at that distance. Within the 200 foot boundary and the building in which the polling place is located, display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person or political party or position on a question are prohibited. Specifies that this act shall have no effect unless approved by the voters of Rhea County in an election on May 6, 1980.

UTAH

SB 24, Approved 2/13/80

Provides that county primary conventions may be held during the month of May as well as in June.

VERMONT

HB 221, Chapter 57, Approved 5/6/80

Adds a chapter to the Vermont Statutes Annotated which outlines the procedures that govern the conduct of a presidential preference primary. Provides that a presidential preference primary for each major political party must be held in all municipalities on the first Tuesday in March in each presidential election year.

Provides that the secretary of state will prepare one official ballot containing the names of all qualified candidates for the major parties. Provides that when the following conditions have been met the names of candidates for nomination by any major party must be printed upon the ballot: (1) lawful petitions signed by at least 1,000 voters, together with a written consent of the person to the printing of his name on the ballot, are filed with the seretary of state; (2) petitions are filed not later than 5:00 p.m. on the third Monday of January preceding the primary election; (3) a person's name is listed as a candidate on the primary ballot of not more than one party in the same election; and (4) each petition is accompanied by a filing fee of $500 (the filing fee will be waived if the petition is accompanied by an affidavit of the candidate that both the candidate and his or her campaign committee are without sufficient funds to pay the fee).

Provides that the secretary of state must specify in writing why any petition does not conform with specifications and must return the petition to the candidate within seventy-two hours from receipt. Provides that a supplementary petition may be filed not later than ten days after the date for filing petitions.

Specifies the form of ballot as follows. There will be one column for each political party for president; the names of all candidates will be listed in alphabetical order; and a voter may vote for one candidate of one party, either by placing a mark opposite the printed name or by writing in the name of the candidate of his choice.

Provides that the checklist for the preference primary will be the same as that used at the annual town meeting; residents of unorganized towns will be added to the list, in the prescribed manner, with the statement included next to their name that they are ineligible to vote on town meeting items. Specifies when and how the checklist must be updated.

Provides that the appropriate provisions of the election code will apply to presidential preference primaries, unless clearly inconsistent with the particular provisions governing such primaries.

Provides that delegates and alternates to the national convention of each major political party will be selected at a party convention during the third week of May in each presidential election year.

Specifies that not later than 5:00 p.m. on the forty-seventh day before the day of the general election, the chairman of the state committee of each major political party will certify in writing to the secretary of state, the names of the presidential and vice-presidential nominees selected at that party's national convention.

Provides that after adjournment of the platform convention of a major political party, the chairman and secretary of the convention must promptly execute a sworn statement certifying the names, towns of residence, and correct mailing addresses of the persons nominated by the convention to serve as electors; such statement must be promptly filed with the secretary of state along with the written consent of each person to be a nominee for elector.

Specifies when the canvassing board must meet and issue its certificates of election.

Provides that electors must meet at the state house on the first Monday after the second Wednesday in December next following their election, to vote for President of the United States. Provides that if there is a vacancy in the electoral college on that day for any reason, the other electors present will fill such vacancy by a voice vote and by a plurality of votes. Provides that if such vacancy is filled the electors must attach a statement to the certificate of their votes showing how the vacancy occurred and their action. Specifies that the electors must vote for the candidates for President and Vice-President who received the greatest number of votes at the general election.

HB 706, Act 200, Approved 5/6/80

Includes the word "Australian" when describing a certain type of ballot election.

Provides that a copy of the most recent checklist of the persons qualified to vote will be made available by the town clerk to the chairman of each political party upon request and free of charge.

Stipulates that the town clerk must call at least one meeting of the board of civil authority for the purpose of revising the checklist after the deadline for filing applications and before the day of an election.

Adds that if one of the major political parties is underrepresented on the board of civil authority (less than three members) the legislative body must appoint from a list of six names submitted to it by the underrepresented party, a sufficient number of voters to bring that party's membership on the board to three. Provides that no person's name may be submitted unless that person consents to serve if appointed.

Provides that a person may file an application for addition to the checklist any time after his or her seventeenth birthday; provides that if a person files the application before his or her eighteenth birthday, it must be indicated on the application that the freeman's oath has not been taken; specifies the procedures to be followed to insure that the person's name is included in the checklist before the next election which occurs after the applicant has become eighteen years old; provides that the person may take the freeman's oath at any time on or after his or her eighteenth birthday, including on the day of an election.

Provides that any person whose application to vote has been rejected or whose name has been removed from the checklist may appeal to any superior or district judge in the county or district in which the applicant claims residence.

Provides that the board of civil authority may consider the eligibility of persons on the checklist at any time and may remove names of persons no longer qualified to vote; requires the board to review the most recent checklist by September 15 of each odd-numbered year.

Disqualifies voters who have not cast a ballot within the last three years instead of disqualifying voters who have not voted in the last two general elections. Provides that a voter must have at least thirty days to respond after the date a notification of ineligibility to vote is sent to the voter by the board of civil authority.

Provides that a voter's signature on a petition will not be valid unless at the time he signs the voter is registered and qualified to vote for the candidate whose petition he signs. Stipulates that petitions must contain the name of only one candidate except that presidential and vice-presidential candidates may be nominated by the same certificate of nomination.

Outlines the procedures to be followed if a filed primary petition does not conform to specifications. Provides that supplementary petitions will not be accepted if petitions with signatures of different persons totaling at least the required number were not received by the filing deadline.

Outlines the procedures to be followed by the chairman and the secretary of the committee making a nomination for office, specifying the correct form for the statement of nomination and with whom the statement must be filed.

Requires candidates and nominees for presidential elector to file a consent form agreeing to having their names printed on the ballot.

Provides that if the political or other name on the certificate of nomination is not substantially different from any name already qualified to appear on the ballot, the candidate must select a different political or other name. Provides that except for a presidential and vice-presidential candidate, the word "independent" may not be used as part of a party name; if no party is indicated, the word "Independent" must be printed on the ballot.

Requires that the secretary of state organize regional workshops for election officials; requires that the regular presiding officer of each town attend at least one workshop every two years; requires the town clerk to provide the secretary of state with the names and addresses of all members of the board of civil authority.

Outlines the procedures to be followed concerning the printing and distribution of new ballots following the death or withdrawal from nomination of the original candidate.

Requires the secretary of state to make regulations for the use of voting machines which cover any of the following areas: (1) the format of machine programs for the primary and general elections; (2) the content of summary sheets; (3) the content of all voter instruction materials provided by a town; (4) security before and after the election; (5) obtaining and recording machine totals; (6) duties of election officials; (7) availability of mechanics during polling hours (8) disposition of checklists, summary sheets and machine materials after the election; and (9) other matters pertaining to the proper use of voting machines.

Provides that a town must make a demonstrator voting machine available to citizens at each polling place during all polling hours; recommends that a demonstrator machine be available at certain other locations and times. Specifies certain other miscellaneous requirements for voting machines.

Specifies that signs which are furnished by the secretary of state must be posted on or near ballot boxes telling voters to deposit their own ballots in the ballot boxes; this requirement does not apply to unvoted ballots in primary elections.

Provides that the secretary of state must prepare official information cards which must be posted in at least two public places within the town not less than ten days before the election. Provides that the cards will include instructions on how to obtain ballots, mark them, get help marking them and obtain new ballots in place of those accidentally spoiled; information about offenses relating to elections; directions on obtaining assistance if there is a problem on election day and other helpful information.

Provides that the town clerk, upon request, must deliver a sample ballot to any high school or other educational institution in the town.

Adds the provision that absentee ballots will only be allowed in elections using the Australian ballot system.

Provides that an authorized "family member" or any other person who presents written authorization from the absent voter, may apply for an absent voter ballot in behalf of an absent voter. Defines "family member" as a person's spouse, children, brothers, sisters, parents, spouse's parents, grandparents, and spouse's grandparents.

Provides that an official federal post card application will suffice as a simultaneous request for an application for addition to the checklist and for an absentee ballot for a qualified citizen living in a foreign country or a qualified person serving in the military.

VERMONT CONT'D

Deletes the requirement that a physician's certification of illness or physical disability be filed before a ballot is either mailed or delivered by the justice of the peace to voters unable to cast ballots at the polling place.

Provides that officers who assist absent voters who are blind or who are physically unable to go to the polls must do so in the presence of one other officer and must not divulge any information regarding the choice of the voter.

Specifies how ballots must be deposited in primary elections; requires that the voter separate all sections on the perforations and fold each section separately, hand the unvoted ballot to the election official who deposits it in the receptacle marked for unvoted ballots, and then place the voted ballot in the ballot box.

Provides that ballots must be counted at the polling place where they are cast except where the secretary of state determines that it would not be practical.

Provides that votes for an office can be recounted if the difference between the number of votes cast for a winning candidate and the number of votes cast for a losing candidate is less than five percent of the total votes cast for all the candidates for an office, divided by the number of persons to be elected.

Provides that any voter may file an election contest within fifteen days after the election in question, or if there is a recount, within ten days after the court issues its judgment on the recount.

VIRGINIA

SB 129, Chapter 695, Approved 4/5/80

Provides that any office which is mentioned in art. VII of the state constitution and any of the following offices must not be held in conjunction by the same person: a) treasurer; b) sheriff; c) attorney for the commonwealth; d) clerk of the court in the office where deeds are recorded; e) commissioner of the revenue; f) supervisor; or g) councilman. This prohibition is subject to a list of exceptions, including a new exception which permits a member of a local governing body to serve as a member of a board of directors, governing board or advisory council of an area agency on aging provided for by sec. 2.1-373 of the Code of Virginia.

States that except as specifically provided in general or special law, no board mentioned in the excepted list of positions will be comprised of a majority of elected officials as members, nor can any county or city be represented on such board by more than one elected official.

SB 424, Chapter 639, Approved 4/4/80

Provides that when the circuit judges fill a vacancy of the county and city electoral board, the clerk of the circuit court must send a copy of each order making an appointment to an electoral board to the state board of elections.

Provides that the chairman and the secretary of the county and city electoral board must represent the two political parties which received the highest and the next highest number of votes in the preceding gubernatorial election unless the representative of the political party having the second highest nunber of votes at the last preceding gubernatorial election declines in writing to accept either of such offices.

Provides that in appointing officers of election, an electoral board should appoint an equal number of representatives of the political parties, except in precincts having an odd number of officers of election there may be a variation from equality by no more than one.

Provides that in cities and counties where council members are elected from separate districts or wards, election districts or precincts must be wholly contained within the separate districts or wards.

Deletes the requirement that the general registrar publish paid advertisements in a general circulation newspaper in the county or city at least twenty days before every primary and general election of registration procedures for voter transfer.

Includes the following persons otherwise qualified to vote as being qualified to register by absentee application: a) members of the armed forces and their spouses or dependents who are normally absent from the city or county of residence; b) persons and their spouses or dependents who reside temporarily outside of the U.S. because of employment; and c) members of the Merchant Marine of the U.S. and their spouses or dependents.

VIRGINIA CONT'D

Provides that any registered voter may have his or her name removed from the registration books and central registration roster by signing an authorization for cancellation form in person at the office of the registrar.

Provides that a person is eligible for temporary registration by absentee application when residing outside the U.S. if it is stated whether or not he or she has a valid passport or card of identity and registration issued by the secretary of state.

Requires that one polling place be established by ordinance for each town except where the town council establishes voting precincts under the provisions of sec. 24.1-39 of the Virginia Code Annotated. Deletes the section which authorized the officers of election to fix voting places if they are not fixed by ordinance.

Provides that officers of election must be chosen from a list of persons qualified to serve which is submitted to the secretary of the electoral board by the two political parties casting the highest and next highest number of votes at the last gubernatorial election.

Requires that the electoral boards send a copy of each printed ballot, voting machine ballot and statement of the number of ballots ordered to be printed to the state board of elections. Provides that the state board of elections may direct the local electoral boards to increase the number of ballots printed.

Specifies that the following entities are authorized to place additional names on the ballot following procedures specified in secs. 24.1-166 through 24.1-168 of the Virginia Code Annotated, where a party nominee dies or withdraws after the time has expired for qualifying: a) the political party of the deceased or withdrawn nominee; b) any other political party which did not offer an opposing candidate to the deceased or withdrawn nominee; and c) any nonparty candidate.

Provides that political party candidates will be listed on the ballot first with each political party position within this category determined by lot.

Specifies that independent candidates will be listed on the ballot under political party candidates. Provides that each independent's position within this category will be determined by lot by the state board of elections.

Specifies that groups qualifying for a party name through petition in presidential elections under sec. 24.1-159, will be treated as a class and will follow independents on the ballot.

Allows the officers of election to change part of the pollbook format although the same information is required.

Stipulates that the state board of elections must meet and make a statement as to the number of votes cast and issue a certificate of election for any officer shared by more than one county or city or combination rather than having the secretary make out and deliver a certificate of election.

VIRGINIA CONT'D

Provides that the Virginia Freedom of Information Act will not apply to the certified abstracts of the votes or any other documents used by the state board of elections in ascertaining the results of any election until such results have been finally determined by the board.

Provides that the board of elections may extend the deadline set for the written statement of qualified voter and office holder which each candidate for any office of the commwealth is required to file.

Provides that no less than fifty qualified voter signatures are required in a petition of candidacy for membership on the governing body of any county or city containing one thousand or less registered voters. Provides that a candidate for office in a town having less than one thousand registered voters will not be required to file a petition.

Provides that there must be two pollbooks which follow the format specified in sec. 24.1-189 of the Virginia Code Annotated for each political party taking part in a primary. Directs the officers of election to enter the name of the appropriate party on the cover of the pollbook.

Provides that the state board of elections may experiment with ballots and ballot counting equipment in casting and counting absentee ballots in one or more counties and cities which have been designated by the board and which have met the following criteria: a) they have established central absentee voter election districts; and b) the local electoral board has submitted to the state board of elections a plan for the use of such ballots and equipment.

Provides that in case a voter asks for further instructions concerning the manner of voting after entering the voting booth, two election officers from different political parties should give instructions if possible.

Provides that absentee ballot applications must be signed in the presence of one subscribing witness.

Provides that the general registrar must enroll the name on each absentee ballot application on a list which must be regarded as a public record and must be available for public inspection and copying during office hours.

Provides that the Fair Elections Practices Act, sec. 24.1-251 et seq., applies to all the elections within the Commonwealth. Provides that these elections will not be subject to further regulation by local law.

Provides that all reports required under the Fair Elections Practices Act and filed in the office of the state board of elections will be available for copying by any qualified voter. Provides that the board must maintain a copying machine at its office to produce copies, at a reasonable charge-rate, for any qualified voter requesting them.

VIRGINIA CONT'D

SB 538, Chapter 41, Approved 3/3/80

Provides that any primary election preceding the May, 1980, general election must be held on the second Tuesday in March, 1980.

Provides that all persons other than candidates for a party nomination or party nominees, who intend to be candidates at the May, 1980, general election in any locality in which the March primary will be held, must give notice not later than the closing of the polls on the primary election date.

SJR 53, Adopted 3/6/80

States that the Division of Legislative Services shall, upon request, advise and assist any locality in the reapportionment of the districts from which its local governing body is elected.

WASHINGTON

SB 3359, Chapter 3, Approved 2/6/80

Provides that a special state, county, city, town and district election may not be held on the second Tuesday in March (a date specified as being a normally acceptable special election date choice), if a statewide political party caucus by a major political party is scheduled for that day, but may be held on the third Tuesday in March.

Provides that this is the ruling statute regarding mandatory dates for holding elections except for those elections held pursuant to a home-rule charter adopted under art. XI, sec. 4, of the state constitution.

Provides that in any county holding an election on the second Tuesday in March of 1980 pursuant to a home-rule charter, any city, town or district where any portion of the registered voters of that city, town, or district reside within that charter county may hold special elections on that date.

SB 3362, Chapter 107, Approved 3/10/80

Provides that by July 1, 1980, each county auditor must prepare for public inspection and use, maps of the county and of each city or town within that county, clearly delineating precinct boundaries for the 1980 state primary and general election. These maps must be transmitted to the secretary of state by November 1, 1980, along with a listing of the census blocks and enumeration districts which are contained within each precinct.

Prohibits the office of the secretary of state from associating voting results in any manner with the maps and census information supplied by the county auditors.

HB 1434, Chapter 42, Approved 2/29/80

Specifies that when a special recall election date is set, the officer with whom the petition is filed shall serve a notice of the date of the election and a copy of the ballot synopsis of the charge as it will appear on the ballot to the officer whose recall is demanded. After a notice has been served, the officer whose recall is demanded may submit a response to the charge contained in the ballot synopsis to the officer with whom the petition is filed. Such response shall be submitted by the seventh consecutive day after service of the notice.

States that the ballots in a recall election shall contain the officer's response to the charge, if such has been filed.

Provides that if the recall of the prosecuting attorney is demanded, the determination of whether or not the acts complained of in the charge are acts of malfeasance, misfeasance or a violation of the oath of office as specified in the constitution, shall be made by the attorney general within fifteen days of the filing of the charge.

WASHINGTON CONT'D

HB 1829, Chapter 48, Approved 2/29/80

Provides that in addition to other specified duties, the county auditor is to appoint a school official or school employee as deputy registrar for each common school and is to appoint as deputy registrar a person employed at each fire station which is convenient to the public.

WEST VIRGINIA

SB 76, Approved 3/21/80

Provides that any person who is an officer of any state, county, district or municipal political party executive committee shall not be eligible to serve as clerk of either house of the state legislature. Requires the clerk of each house to devote full time to his public duties to the exclusion of any other employment.

HB 1556, Approved 3/10/80

States that a candidate may run for or jointly hold the offices of county clerk and circuit clerk in counties which have operated and maintained a joint clerkship system as of January 1, 1978.

HB 1613, Approved 3/3/80

Relates to the form of general election ballots to provide for the rotation of candidates' names in order to assure that each candidate for an office from each party is opposite the name of each candidate for said office from the other party or parties on the ballot an equal number of times. Specifies that if any party fails to nominate or to fill a ballot vacancy for as many candidates as there are persons to be electecd to said office, the ballot shall be printed so as to provide that the space created by the vacancy shall be opposite the names of each of the candidates for said office from the other party or parties and equal number of times.

WISCONSIN

SB 235, Chapter 120, Approved 2/20/80

Authorizes any county, city, village or town to adopt an ordinance establishing a code of ethics for public officials and employees of the county or municipality and candidates for county or municipal elective offices. An ordianance adopted pursuant to this authorization may contain any of the following provisions: (a) a requirement that public officials, employees and candidates identify specified economic interests; (b) a provision directing the county or municipal clerk to omit the name of any candidate from the ballot if he fails to disclose his economic interests as required; (c) a provision directing the county or municipal treasurer to withhold the payment of salaries from any employee who fails to disclose his economic interests; (d) a provision vesting administration and civil enforcement of the ordinance with an ethics board; (e) specification of ethical standards of conduct and prohibition of conflicts of interest; and (f) a penalty of not more than $1,000 for each offense.

SB 362, Chapter 311, Approved 5/17/80

Defines "automatic tabulating equipment," "ballot," "ballot label," "electronic voting system," "polling place," "voting device," and "voting machine."

Requires that at each polling place where an electronic voting system is used at a partisan primary election the municipal clerk or board of election commissioners must post a sign warning the voter that no votes cast for any candidates for partisan office will be counted if the ballot is marked for candidates of more than one political party or for one political party candidate and one independent candidate.

Provides that every city or village with a population of 10,000 or more, with the exception of certain territory wihich is annexed to a city or village across the boundary of a legislative district, must use voting machines or electronic voting systems in every ward of the municipality. Provides that any other municipalities may adopt and purchase voting machines or electronic voting systems to use in any ward in the municipality.

Specifies the arrangement for ballots where voting machines or an electronic voting system is used.

Provides that at polling places where voting machines are used, each party and the independent candidates must be listed in a separate column on the ballot; provides that where an electronic voting system other than an electronic voting machine is used, each party and independent candidate may be represented in a separate column or row on the ballot.

Adds a new subchapter pertaining to electronic voting systems. Provides that the governing body of any municipality may adopt, experiment with, or discontinue any electronic voting system which has been approved by the election board.

WISCONSIN CONT'D

Stipulates that the following conditions, among others, must be present before the board may approve of any ballots, devices and equipment: 1) it enables an elector to vote in secret; 2) it enables an elector to vote a straight party ticket; 3) except for primaries, it enables an elector to vote for nominees from various parties, independent nominees and write-in nominees; 4) it accommodates all referenda to be submitted to the electors in the form provided by law; 5) the automatic tabulating equipment rejects any ballot on which votes are cast in the primary of more than one recognized political party; 6) it permits an elector, at a presidential or gubernatorial election, by one action to vote for the candidates of a party for president and vice-president or for governor and lieutenant governor, respectively; 7) it prevents an elector from voting for the same person more than once for the same office; 8) it maintains a cumulative tally of the total votes cast that is retrievable in the event of a power outage, evacuation or malfunction so that the record of votes cast prior to the time that problem occurs is preserved; and 9) the automatic tabulating equipment includes a mechanism which makes the operator aware of whether the equipment is malfunctioning.

Provides that whenever the statutes require the use of separate ballots or columns for offices, parties or referenda, and an electronic voting system using a ballot label or card is utilized, a single ballot may be used for all offices. Provides that separate write-in ballots must be provided where an electronic voting system is utilized whenever write-in votes are authorized.

Provides that automatic tabulating equipment must be tested not more than ten days prior to election day. Outlines procedures to be used for receiving, counting, tallying and returning the ballots. Provides that except for write-in votes and paper ballots used for absentee voting, no ballots may be counted at the polling place if a central counting location is designated for that purpose. Outlines procedures to be followed at the central counting location; stipulates that the municipal clerk is the official in charge; provides detailed instructions on maintaining the integrity of the ballots, tabulating the votes and transferring the tabulation to tally sheets.

Specifies how ballots will be counted when a voter casts more votes for an office then he or she is allowed to cast or whenever the number of ballots exceeds the number of voting electors.

SJR 5, Adopted 4/2/80

Proposes an amendment to the Wisconsin Constitution which would amend the section relating to primaries in recall elections.

Provides that qualified electors may petition for the recall of any incumbent elective officer after the first year of the term for which the incumbent was elected.

WISCONSIN CONT'D

States that when more than two persons compete for a nonpartisan office in a recall election, a recall primary must be held. Provides that the two persons receiving the highest number of votes in the recall primary will be the two candidates in the recall election, except that if any candidate receives a majority of the total number of votes cast in the recall primary, that candidate will assume the office for the remainder of the term and a recall election will not be held.

Provides that for any partisan office, a recall primary must be held for each political party which is by law entitled to a separate ballot and from which more than one candidate competes for the party's nomination in the recall election.

Provides that independent candidates and candidates representing political parties not entitles by law to a separate ballot will be shown on the ballot for the recall election only.

Specifies that a recall election will be held on the Tuesday of the fourth week after the recall primary or, if that Tuesday is a legal holiday, on the first day after that Tuesday which is not a legal holiday.

Resolves that this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for three months previous to the time of holding such election.

AB 400, Chapter 200, Approved 4/24/80

Provides that at 9:00 a.m. on the day following the last day for filing a ballot recount petition the board of canvassers will reconvene to recount the ballots and check the accuracy of any petition statements.

AB 459, Chapter 110, Approved 2/20/80

Changes the terminology specifying the disqualification of voters from those persons who are "non compos mentis, insane," to those persons who are "incapable of understanding the objective of the elective process."

AB 552, Chapter 232, Approved 4/30/80

Provides that age be included in the definition of absentee elector. However, specifies that no person under the age of seventy qualifies as an absent elector solely because of age.

States that when an absentee ballot arrives at the office of the municipal clerk, the clerk shall enclose it in a carrier envelope securely sealed and endorsed with the name and official title of the clerk.

AB 603, Chapter 328, Approved 5/7/80

See Section II for a summary of this law.

AB 607, Chapter 235, Approved 4/30/80

Provides that the governing body of every municipality with a population of 10,000 or more must require the use of voting machines at every election. Provides that any other governing body may adopt and purchase voting machines for use at any election.

AB 846, Chapter 246, Approved 4/30/80

Provides that presidential electors must vote for a President and Vice-President from one of the following categories of candidates: (1) candidates of the political party which nominated them; (2) independent candidates who have filed nomination papers; or (3) candidates who fulfilled the requirements which qualify them to be write-in candidates. Stipulates that at least one of the persons for whom the electors vote may not be an inhabitant of Wisconsin. Also provides that an elector is not required to vote for a candidate who is deceased at the time of the meeting.

AB 902, Chapter 249, Approved 4/30/80

Provides that each candidate must file with his or her nomination papers, a sworn declaration that the candidate will qualify for the office, if elected, and a declaration of residence. Requires that a subsequent declaration be filed if a candidate changes his or her residence to a location outside of the jurisdiction or district in which the candidate seeks office.

Provides that any person may file a verified complaint with the attorney general stating the facts which cause the person to believe that residency requirements have not been met by a person holding or elected to a state public office. Provides that the attorney general may investigate these allegations. Specifies the procedures to be followed if the person who is holding or elected to office is not qualified because of failure to meet a residency requirement.

WYOMING

HB 114, Chapter 31, Approved 3/5/80

See Section II for a summary of this law.

SECTION II - STATE CAMPAIGN FINANCE SESSION LAWS

ARIZONA

SB 1275, Chapter 239, Approved 4/23/80

Permits a candidate to be chairman of a campaign committee. Generally exempts personal and travel expenses not paid for from campaign funds from the definition of "expenditure." Requires every payment or disbursement by a candidate or campaign committee exceeding $10 which relates to the election (except for personal or travel expenses not paid for from campaign funds) to be evidenced by a receipted bill stating the particulars of expense. Every such record, voucher, receipt, or account is to be preserved for fifteen months after the election to which it relates.

Specifies that the form of reports is to be prescribed by the secretary of state and will be subject to the approval of the attorney general. Requires campaign finance reports to be filed by a campaign committee which engages in political activity against a candidate. (Formerly, reports were required only by a committee engaging in political activity in behalf of a candidate.) Specifies that reports are to be filed by a committee working in behalf of or against a judge who seeks to be retained in office. Requires the reports filed by candidates before and after general and special elections to include the addresses of contributors. (Formerly, only the names of contributors were required in these reports.)

Establishes opening and closing reporting dates for campaign finance reports. Provides that a candidate or campaign committee which receives or makes any campaign contributions or expenditures subsequent to the closing date for the post-election statements which would otherwise be reported shall file a statement of collections and expenditures on or before April 1 of each year until a disposition of all contributions and expenditures is made or no contributions or expenditures are made or received which have not been previously reported. A candidate or campaign committee may dispose of the surplus funds in any lawful manner, including retaining them for use in a subsequent campaign, returning them to contributors, or giving them to a charitable organization or to the county or state committee of the political party of which the candidate is a member. A campaign committee may give the surplus funds to a political candidate as a contribution for use in a campaign or for the repayment of loans for campaign expenses.

Specifies that the provisions of this act become effective on January 1, 1981.

CALIFORNIA

AB 1486, Chapter 289, Approved 7/1/80

NOTE: The following summary is based in part on the digest prepared by the state legislative counsel.

Amends the definitions of "candidate" and "committee" to provide that a candidate and committee retain their status as such during the post-election period until that status is terminated. Specifies that committees and candidates shall terminate their filing obligation pursuant to regulations adopted by the fair political practices commission which insure that a committee or candidate will have no activity which must be disclosed subsequent to the termination.

States that the term "contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are $500 or less.

Repeals provisions of the government code relating to the filing of campaign statements by candidates for county central committee, candidates for reelection to judicial office, and appointees to certain district offices. Also repeals the exemption from reporting requirements for candidates on behalf of whom $200 or less is received or expended. Provides that a candidate shall not be required to file any of the campaign statements called for by sec. 84200(c) of the California government code if, on or before the filing date for the first pre-election campaign statement, he files a declaration stating that less than $500 in contributions or expenditures will be received or made in behalf of or in support of his candidacy. However, the candidate must file the statements if $500 in contributions or expenditures are eventually received or made. Provides that whenever the filing of a campaign statement by a candidate or elected officer is called for by sec. 84200(c) of the government code, the candidate or elected officer may in lieu thereof file a statement that less than $500 has been received or expended or will be received or expended on behalf of or in support of his or her candidacy. The statement is also to contain the name, street address and treasurer of any committee of which he has knowledge which has received contributions or made expenditures on behalf of his candidacy and whether the committee is controlled by the candidate or officeholder.

Specifies that the fair political practices commission may by regulation or written advice permit candidates and committees to file campaign statements combining statements and reports that are required to be filed. Permits a candidate and any committee or committees which he controls to file consolidated campaign statements. These consolidated statements are to be filed in each place each of the committees and the candidate would be required to file if separate statement were used.

Provides that committees making independent expenditures and committees primarily formed or existing to support or oppose the qualification of a measure and proponents of a state measure must disclose specified information concerning

CALIFORNIA CONT'D

persons who have received, indirectly or through an intermediary, payments of $100 or more for circulating petitions to qualify a ballot measure.

Requires the campaign statement to disclose the interest rate of a loan which is a contribution. Also requires the disclosure of the amount of the maximum liability of a person who is directly, indirectly, or contingently liable on a loan which is a contribution. Provides that a loan received by a candidate or committee is a contribution unless the loan is received from a commercial lending institution in the ordinary course of business or it is clear from the circumstances that it is not made for political purposes. A loan which is not a contribution, but which is used by a candidate or committee for political purposes, shall be reported in the specified manner.

Provides that a campaign statement must include, inter alia, in the case of an expenditure which is a contribution of $100 or more made during the period covered by the statement, the cumulative amount of contributions made to a candidate, elected officer or committee, the full name of the candidate, and the office and district for which he seeks nomination or election. States that for an expenditure of $100 or more which is a contribution in support of or in opposition to a measure, there shall be included in the statement the number or letter of the measure and the jurisdiction in which the measure or candidate is voted upon. Also requires a campaign statement to indicate, for each expenditure of $100 or more made during the period covered by the statement the amount of each expenditure and a brief description of the consideration for which each expenditure was made. Also, a statement must specify, in the case of a controlled committee, an official committee of a political party, or an organization formed or existing primarily for political purposes, the amount and source of any miscellaneous receipt.

Directs all candidates and committees to file campaign statements on July 31 and January 31 if they have made or received contributions or made expenditures during the six calendar months before the closing date of the statements. Provides that all elected officers shall file campaign statements no later than July 31 and January 31. However, this requirement is not applicable to elected officers whose salaries are less than $100 a month or to judges, unless such elected officer or judge is a candidate or committee which receives contributions or makes expenditures during the applicable six-month period. Requires the filing of additional campaign statements by candidates, elected officers, their controlled committees, and any committee formed primarily to support or oppose a candidate or a measure that has made or received contributions of $500 or more or made expenditures of $500 or more during specified threshold periods. These additional statements are also required of all other committees which, in an even-numbered year, have made or received contributions of $500 or more or made expenditures of $500 or more during the threshold periods. Additional reports are also required to be filed by all other committees which in an odd-numbered year have made contributions or independent expenditures of $500 or more during threshold periods. Specifies that the additional reports need not be filed by elected officers, candidates, their controlled committees and committees formed primarily to support or oppose a candidate whose activities within a threshold period consist only of receiving contributions and making expenditures solely in connection with their own or their candidate's campaigns. The filing exemption is applicable to any six-month period (from January 1 to June 30 or from July 1 to December 31) in which the candidate's office is not to be voted on or, in the case of an elected officer, when the elected officer is not a candidate for an office being voted on in a six-month period.

States that if an election is held on a date other than the first Tuesday after the first Monday in June, or the first Tuesday after the first Monday in November, candidates voted on in such elections, their controlled committees and committees formed or existing primarily to support or oppose such candidates or measures voted on in such election shall file campaign statements in connection with the election and shall also file the campaign statements referred to in the preceding paragraph for any six-month period in which such an election in not held. Also exempts such filers from certain other filing requirements. Specifies that committees formed or existing primarily to support or oppose the qualification of a measure and proponents of a state measure are to file campaign statements not later than thirty-five days after the deadline for filing petitions or the date of notification that the measure has either qualified or failed to qualify, which ever is earlier. Modifies certain other filing requirements as applied to such committees.

Extends certain filing requirements to committees making contributions of $15,000 or more to support or oppose candidates or state ballot measures in a special election not consolidated with a regularly scheduled state election.

Amends provisions relating to the filing of copies of campaign statements with the county clerk.

CONNECTICUT

SB 70, Act 80-223, Approved 5/13/80

Provides that no individual shall make a contribution or contributions to, or for the benefit, pursuant to the authorization or request of a candidate, a committee or a party, of any candidate's campaign for nomination at a primary, or of any candidate's campaign for election to any office of a town, city, or borough, in excess of $1,000. Specifies that this provision does not apply to the offices of state senator, state representative, or probate judge. States that no individual shall make contributions to the candidates designated in sec. 9-348r of the Connecticut General Statutes Annotated which in the aggregate exceed $15,000 for any single election and primary preliminary thereto. (In addition to the local offices mentioned above, sec. 9-348r is applicable to the offices of governor, lieutenant governor, secretary of state, treasurer, comptroller, attorney general, sheriff, state senator, state representative, and probate judge.)

SB 143, Act 80-212, Approved 5/13/80

Grants to the state elections commission the duty and power to levy a civil penalty of not more than $1,000 per offense against any person the commission determines to be in violation of any provision of chap. 150 of the Connecticut General Statutes Annotated (relating to campaign finance), after holding a hearing. In the case of failure to pay any such penalty within thirty days of written notice sent to such person, the commission may apply for a court order requiring the person to pay the penalty.

SB 144, Act 80-432, Approved 6/4/80

Prohibits a continuing political committee organized by a stock corporation or other business organization from making a contribution or contributions to or for the benefit of any candidate's campaign for election to the office of (a) governor in excess of $5,000; (b) lieutenant governor, secretary of state, treasurer, comptroller or attorney general in excess of $3,000; (c) sheriff in excess of $2,000; (d) state senator or probate judge in excess of $1,000; or (e) state representative in excess of $500. Also prohibits such a committee from making a contribution or contributions to or for the benefit of any such candidate's campaign for nomination at a primary to the offices indicated above in excess of the amounts indicated above. Also provides that no such committee shall make a contribution or contributions to such candidates which in the aggregate exceed $100,000 for any single election and primary preliminary thereto.

HB 5289, Act 80-272, Approved 5/14/80

Defines "candidate" for purposes of the campaign financing laws (chap. 150 of the Connecticut General Statutes Annotated) as an individual who seeks nomination for election or election to public office. An individual is deemed to seek nomination or election if he has (a) taken the action necessary under state law to qualify for nomination or election or (b) solicited or received contributions or made expenditures or given his consent to any other person to solicit or receive contributions or make expenditures with the intent of bringing about his nomination or election.

HB 5292, Act 80-281, Approved 5/15/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Deletes the prohibition on contributions by an organization political committee to a political issue committee.

Amends certain restrictions on contributions made or received by various committees to or from a national committee of a political party so that these restrictions apply to contributions to or from a "national committee," and not just to those to or from a national committee of a political party. For example, a political committee is now prohibited from making contributions to or receiving contributions from, inter alia, a national committee, whereas previously the prohibition was on contributions to or from a national committee of a political party. (However, it might be noted that "national committee" is defined by sec. 9-335(13) of the Connecticut General Statutes Annotated as the organization which is responsible for the day-to-day operation of a political party at the national level.)

Permits each candidate to designate a deputy principal campaign treasurer. (Formerly, a candidate was required to designate such a deputy.) Allows contributions to be made to a solicitor, as well as to a campaign treasurer or principal campaign treaurer.

Provides that each anonymous contribution received in excess of $15 by a continuing political committee, a candidate committee, a political committee, an organization political committee or political issue committee shall immediately be remitted by the campaign treasurer or principal campaign treasurer (formerly, by the committee treasurer) receiving such anonymous contribution to the state treasurer who is to deposit such funds in the general fund.

FLORIDA

SB 618, Chapter 292, Approved 7/1/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Permits a candidate who is required by sec. 106.141 of the Florida Statutes Annotated to dispose of campaign funds because he has withdrawn or been eliminated as a candidate, been elected, or failed to spend the funds within two years, to donate the funds to a charitable organization, instead of returning them to contributors or depositing them in the general fund of the state or a political subdivision, as previously provided. Provides that a candidate who has been elected and chooses to retain a portion of his surplus campaign funds to be used for legitimate expenses in connection with his public service may deposit such funds in a savings account. However, all deposits, withdrawals, and interest earned thereon must be reported at the appropriate reporting period. Permits an elected official who retains surplus funds to be used for official expenses to give such funds, upon leaving public office, to a charitable organization instead of to the general fund of the state or a political subdivision thereof, as previously provided.

GEORGIA

HB 1249, Act 995, Approved 3/20/80

Amends the Georgia Campaign and Finanacial Disclosure Act.

Declares that it is the policy of the state to require public disclosure of campaign contributions and expenditures when they are designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in any county or municipal election. Expands the definition of "campaign committee" to include any person or committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in any county or municipal election. Requires any campaign committee which accepts contributions or makes expenditures in regard to a proposed question on the ballot in a county or municipal election to file a campaign financing disclosure report. However, such report shall be required only if the campaign committee has received contributions or made expenditures which total more than $500. Such a report of a campaign committee is to be filed with the judge of the probate court of the county in the case of a county election or with the municipal clerk in the case of a municipal election. Any such report shall be filed fifteen days before the election and a final report shall be filed before December 31 of the year in which the election is held.

Specifies that all advertising pertaining to referendums must identify the principal officers of the campaign committee by containing the name and title of the principal officer.

Requires any campaign committee that accepts contributions or makes expenditures to bring about the recall of a public official to file campaign financing disclosure reports with the secretary of state. Such a committee is to file an initial report within fifteen days of the date when the official recall petition forms were issued to the sponsors. A second report shall be filed forty-five days after the filing of the initial report, and a third report shall be filed within fifteen days after the expiration date for acquiring signatures on the recall petition. A final report shall be filed prior to December 31 of the year in which the recall election is held.

HAWAII

SB 3146, Act 246, Approved 6/10/80

Defines "candidate's committee" as a committee which makes an expenditure or accepts a contribution in behalf of a candidate with the candidate's authorization. Specifies that a qualifying campaign contribution must be a monetary contribution. States that whenever a report is required to be filed with the campaign spending commission, "filed" means received in the office of the commission or the county clerk, whichever is applicable, by the date and time specified for the filing of the report.

Amends sec. 11-200 of the Hawaii Revised Statutes, relating to restrictions on transfers of campaign funds, to make that provision applicable to candidates, campaign treasurers, and candidates' committees. (Formerly, the provision was applicable to all committees, not just candidates' committees.)

Extends the applicability of certain provisions of the campaign financing laws to special elections. For example, the $2,000 limit as to contributions is now appliable to special elections, as well as to primaries, special primaries, and general elections.

Provides that there shall be no more than one fund raiser held for a person prior to a general or special election. Where a person seeks election to statewide office, he or his directly associated committee may hold not more than one fund raiser in each county prior to a general or special election. States that in addition to certain specifically itemized costs, all other direct costs incurred in solicitation of a fund raiser or fund raising activity will not be considered expenditures.

States that any candidate who knowingly receives in the aggregate more than $2,000 in any primary, special primary, special, or general election from a person shall be required to return any excess over $2,000 to the contributor. If the contributor cannot be found, the excess over the contribution limit is to be deposited with the state election campaign fund.

Declares that campaign contributions received in excess of the candidate's expenditure limit may be used after a general or special election for fund raising activities and any other politically related activity sponsored by the candidate. However, such contributions shall not be used for personal expenses or to qualify for public funding in any subsequent election, and are not to be transferred to another candidate as prohibited by sec. 11-200 of the Hawaii Revised Statutes. Also, such contributions are reportable.

Amends sec. 11-212 of the Hawaii Revised Statutes, relating to preliminary reports, to provide that each candidate, authorized person in the case of a party, or campaign treasurer in the case of a committee, shall file a preliminary report with the campaign spending commission or appropriate county clerk's office, on forms provided by the commission no later than 4:30 p.m. on the tenth working day prior to each election. Permits a candidate, party, or committee whose expenditures for the reporting period total $500 or less to file a short form report with the commission or appropriate county clerk's office in lieu of the reports otherwise required.

States that the final general report to be filed by a candidate, authorized person for a party, or campaign treasurer for a committee is to be filed no later than 4:30 p.m. on the thirtieth (formerly, twentieth) day after a general, special general, or special election. Provides that a candidate, party, or committee that receives no contributions, makes no expenditures, or has a deficit or surplus of $250 or less in any reporting period shall nevertheless be required to file preliminary, final, and supplemental reports. However, such reports may be filed on a short form.

Provides that upon the filing of a final report for any primary, special primary, special, or general election, each candidate who has spent an amount below the expenditure limit set for his office, but who has received the maximum amount of public funds allowable for his respective office, shall return all unexpended public funds to the Hawaii election campaign fund. (Formerly, a candidate in this situation was required to return a pro rata share of twenty per cent of any residual campaign contributions.)

IDAHO

HB 382, Approved 2/13/80

Amends sec. 63-3024B of the Idaho revenue and taxation code, relating to political contributions, by repealing the alternative tax deduction for political contributions, so as to allow only a credit (limited to $5 for an individual and $10 for a married couple filing a joint return) for such contributions.

KANSAS

SB 641, Approved 5/7/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Provides that in case of a vacancy in the position of treasurer of a candidate before all of the obligations of the treasurer have been performed, such candidate shall be his or her own treasurer from the date of the vacancy until the candidate appoints a successor and reports the name and address of the treasurer to the secretary of state. In case of a vacancy in the position of treasurer of a candidate committee, the candidate shall be treasurer from the date of vacancy or removal, until the candidate appoints a successor and reports the name and address of the treasurer to the secretary of state. In the event of a vacancy in the position of treasurer of a party committee or political committee, the committee chairperson shall be treasurer from the date of vacancy or removal, until the committee appoints a successor and reports the name and address of the treasurer to the secretary of state. Specifies that no resignation of a treasurer shall be effective until a written statement of resignation of the treasurer has been filed with the secretary of state. No removal of a treasurer of a party committee or political committee shall be effective until a written statement of removal from the party committee or political committee has been filed with the secretary of state.

KENTUCKY

SB 366, Approved 4/9/80

Amends the definition of "committee" to mean one of the following: (a) a campaign committee which is one or more persons who receive contributions and make expenditures to support or oppose one or more specific candidates for nomination or election to any state, county, city, or district office; (b) a political issues committee, which is three or more persons joining together to advocate or oppose a constitutional amendment or public question if that committee receives or expends more than $1,000; (c) a permanent committee, which is a group of individuals, including an association, committee, or organization, other than a campaign committee or party executive committee, which is established as, or intended to be, a permanent organization having as its primary purpose political activity, and which functions on a regular basis throughout the year; or (d) an executive committee of a political party.

Defines a "contributing organization" as a group which merely contributes to candidates, campaign committees, or executive committees from time to time from funds derived solely from within the group, and which does not solicit or receive funds from sources outside the group itself. Specifies that any contributions made by such groups in excess of $100 shall be reported to the registry of election finance.

Prohibits any person from becoming liable as surety, endorser, or guarantor for any sum in excess of the specified contribution limitation.

Exempts from the definition of "contribution" a loan of money by any financial institution doing business in the state that is made in accordance with applicable banking laws and regulations and in the ordinary course of business.

States that the prohibition on corporate political contributions shall not be construed to bar a corporation from making contributions in support of a position on an issue of public importance.

Directs the registry of election finance, upon the sworn complaint of any person or on its own initiative, to investigate alleged violations of the campaign finance law. If after a preliminary investigation the registry concludes that there is probable cause to believe that the law has been violated, it may hold a hearing to determine if a violation in fact occurred. States that if a hearing is held, the person complained against may choose whether the hearing shall be open or closed. At such a hearing, the person complained against shall have all of the protections of due process, including the right to be represented by counsel, the right to call and examine witnesses, the right to the production of evidence by subpoena, the right to introduce exhibits and the right to cross-examine opposing witnesses.

Provides that when the registry determines that the preponderance of the evidence shows a violation has occurred, it shall issue an order to the violator to comply with any one or more of the following requirements: (a) to cease and

desist from the violation; (b) to file the required reports or other documents; or (c) to pay a penalty of up to $100 per day for failure to file any required report or other document until it is filed. Permits the registry to refer cases in which it determines that there is probable cause to believe that there has been a wilful violation to the attorney general or to the appropriate local prosecutor for investigation and prosecution.

States that any person directly involved or affected by an action of the registry which is final, other than a determination to refer a violation to the attorney general or the local prosecutor, may seek judicial reveiw of such action. If judicial review is sought of any action of the registry relating to a pending election, the matter shall be advanced on the docket of the court.

Requires any person making an independent expenditure to file a report when he exceeds $100 per calendar year on forms provided by the registry of election finance.

Provides that in addition to other required reports, persons becoming candidates and campaign committees which register in the year before the year in which an election will be held in which the person supported is a candidate, shall file financial reports with the registry of election finance at the end of the first calendar quarter after the person becomes a candidate or following registration of the committee, and each calendar quarter thereafter, ending with the quarter just prior to the due date of the first pre-primary reports.

Requires each permanent committee to make a full report to the registry of all money, loans, or other things of value received by it from any source since the date of the last report, including the name, address and occupation of each person or group contributing in excess of $100, the amount contributed by each and the date of the contribution, and a complete statement of all expenditures authorized, incurred or made, other than independent expenditures. This report is to be made to the registry on the last day of the first calendar quarter following the registration of the committee with the registry and on the last day of each succeeding calendar quarter until such time as the committee terminates.

Provides that if the final statement shows an unexpended balance of contributions, continuing debts and obligations, or an expenditure deficit, the campaign treasurer shall file a supplemental statement of contributions and expenditures not more than thirty days after the deadline for filing the final statement. Subsequent supplemental statements are to be filed semi-annually thereafter on June 30 and December 31 until the account shows no unexpended balance, continuing debts and obligations, expenditures or deficit. Specifies that a candidate does not have to file supplemental reports if the debt is the candidate's personal note.

Relieves a candidate of the duty of personally filing reports and keeping records of receipts and expenditures if the candidate states in writing that within five days after personally receiving any contribution, he will surrender

KENTUCKY CONT'D

possession of the entire contribution to the treasurer of his principal campaign committee. Also, the candidate must agree not to make any unreimbursed expenditure for his campaign.

Permits a candidate to designate one central campaign committee. (Formerly, a candidate was required to designate a central campaign committee.)

Specifies that campaign committees not authorized by, or which have been disavowed by the candidate, shall not include the name of the candidate as part of the committee's name and shall file required campaign finance reports and statements with the registry of election finance.

Permits a political party to use funds received under the state's program of public financing of election campaigns not only in support of the party's candidates in a general election, as previously permitted, but also for the administrative costs of maintaining a political party headquarters.

Amends several provisions relating to violations of the campaign finance laws to specify that the violator will be subject to criminal prosecution only if the offense was committed wilfully.

MARYLAND

SB 198, Chapter 11, Approved 2/29/80

Requires the chairman and the treasurer of any central committee or of any political committee which continues in existence from year to year to file a report or statement of contributions and expenditures no later than the third Tuesday after any election or prior to taking office, whichever occurs first, in addition to filing reports at other previously required times.

Specifies that the late filing fee for each report or statement of contributions and expenditures that is not timely filed is applicable to any preelection report required by the Annotated Code of Maryland, art. 33, sec. 26-11(A)(1), 26-11(A)(2), 26-11(C), or 26-11(D). Adds Saturdays to Sundays and holidays as days that are excluded in computing the late filing fee.

SB 941, Chapter 349, Approved 5/6/80

Amends sec. 30-2 of art. 33 of the Annotated Code of Maryland, relating to reports of contributions made by persons who have done business with the state or a local unit of government. Changes the reporting periods covered by such reports.

MICHIGAN

SB 798, Act 181, Approved 7/2/80

Provides that the preelection campaign statement of a ballot question committee shall be filed not later than the eleventh (formerly, tenth) day before the election. The closing date for the statement shall be the sixteenth (formerly, fifteenth) day before the election.

Specifies that a ballot question committee supporting or opposing a statewide ballot question must file a campaign statement, of which the closing date shall be the twenty-eighth day following the qualification of the measure, not later than thirty-five days after the question is qualified for the ballot. If the question fails to qualify for the ballot, the ballot question committee shall file the statement within thirty-five days after the final deadline for qualifying, the closing date of which shall be the twenty-eighth day following the deadline. (Formerly, this requirement was applicable to a "ballot question committee," whereas it is now applicable to a "ballot question committee supporting or opposing a statewide ballot question.")

Provides for late filing fees in cases where a ballot question committee supporting or opposing a statewide ballot question, or a measure other than a statewide ballot question, fails to timely file its reports.

MINNESOTA

SB 1010, Chapter 362, Approved 3/18/80

Adopts provisions relating to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin county and having a population of 75,000 or more. Also adopts requirements for disclosure of economic interests by candidates and elected public officials of these jurisdictions. Specifies that the provisions of Minnesota Statutes Annotated, sec. 210A.22 to 210A.33, are inapplicable to the financing of campaigns for election which are subject to this act. States that the act applies only to elections for which the filing period opens on or after July 1, 1980.

HB 1121, Chapter 607, Approved 4/23/80

Relates generally to taxation and the operation and financing of state and local government. In regard to elections, extends the credit under sec. 290, subdivision 11, of the Minnesota Statutes Annotated, which is presently available for contributions to a political party or candidates for statewide or legislative office or for certain judicial positions, to contributions to all candidates for elective state or federal public office. A taxpayer may take a credit against the tax due of fifty percent of his contributions, with the maximum credit being $50 ($100 in the case of a married couple filing jointly). Provides that the credit is not allowed for a contribution to a candidate, other than a candidate for elective judicial office or federal office, who has not signed an agreement to limit his campaign expenditures in accordance with sec. 10A.32, subdivision 3b, of the Minnesota Statutes Annotated.

Extends certain provisions of chap. 10A (Ethics in Government) and chap. 210A (Fair Campaign Practices) of the Minnesota Statutes Annotated to campaigns to promote or defeat a ballot question. Prohibits a corporation doing business in the state from making an independent expenditure to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. Permits a corporation doing business in the state to make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot, or to express its views on issues of public concern. However, no such contribution shall be made to any candidate for nomination, election, or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate. Provides that for the purposes of sec. 10A.32, subdivision 3, of the Minnesota Statutes Annotated (which makes it a condition for the receipt of any money by a candidate from the state elections campaign fund that he agree to comply with the expenditure limitations, and not to accept contributions or allow approved expenditures to be made which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him and the amount which he receives from the state elections campaign fund), the amount of all contributions accepted by a candidate in an election year which equals the amount of non-campaign disbursements, and contributions and expenditures to promote or defeat a ballot question which are made by the candidate in that year, do not count toward the aggregate contributions and approved expenditure limit. (NOTE: The provisions that are summarized in this paragraph are contained in art. XVII of the act, and with the exception of the provision referred to in the preceding sentence and an amendment of sec. 10A.01, subdivision 10c, of the Minnesota Statutes Annotated to make that subdivision applicable to ballot question campaigns, art. XVII is essentially identical to art. II of HB 2304, which is summarized below.)

HB 2304, Chapter 587, Approved 4/22/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I. Also, various provisions of this law become effective at different times. The effective dates for the provisions that are summarized here are indicated in parentheses following each paragraph.

Provides that for the purpose of chap. 10A of the Minnesota Statutes Annotated (Ethics in Government), a "political committee" includes any association organized to promote or defeat a ballot question, including the sponsors of a petition, and any association that gives implicit or explicit consent for any other person to receive contributions or make expenditures to promote or defeat a ballot question. (effective upon ratification of constitutional amendment (proposed by this act) permitting initiative and referendum measures; would expire January 1, 1985)

States that in addition to other required reports, a political committee under chap. 10A organized to promote or defeat a ballot question shall file reports not later than five days after a petition to place the question on the ballot is certified by the secretary of state. Provides that no deduction or credit will be allowed for expenditures or contributions by a corporation to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot. (effective upon ratification of proposed constitutional amendment permitting initiative and referendum measures; would expire January 1, 1985)

Includes contributions and expenditures made for the purpose of promoting or defeating a ballot question within the definitions of "transfer" and "expenditure" that are applicable for purposes of chap. 10A of Minnesota Statutes Annotated (Ethics in Government). Amends the definition of "political committee" for purposes of chap. 10A to include any association whose major purpose is to promote or defeat a ballot question. Defines "ballot question" for purposes of chap. 10A as a question or proposition which is placed on the ballot and which may be voted on by all voters of the state. (effective day after final enactment)

Adds a provision to chap. 210A of the Minnesota Statutes Annotated (Fair Campaign Practices) which is applicable to ballot questions which may be voted on by the voters of one or more political subdivisions of the state, but not by all voters of the state. Provides that any individual, political committee, association, or corporation that makes any contribution or expenditure to promote or defeat a ballot question shall file reports at specified times with the official responsible for placing the question on the ballot. Specifies that each report is to show the following information, covering the period from the last report to seven days before the filing date: (a) the name and address of each committee, individual, or other person to whom aggregate contributions or expenditures in excess of $100 have been made to promote or defeat a ballot question, together with the amount, date, and purpose of the contribution or expenditure; (b) the total amount of contributions and expenditures made to promote or defeat a ballot question; and (c) identification of the ballot question which the individual, political committee, association, or corporation seeks to promote or defeat. (effective day after final enactment)

Prohibits any corporation doing business in the state from making any independent expenditure to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. Permits a corporation doing business in the state to make contributions or expenditures to promote or or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. However, no such contribution is to be made to any candidate for nomination, election, or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate. (effective day day after final enactment)

Proposes an amendment to the Minnesota constitution which would provide that the amount that may be spent by candidates for constitutional and legislative offices to campaign for nomination or election shall be limited by law. Directs the legislature to provide by law for disclosure of contributions and expenditures made to support or oppose candidates for state elective offices. (effective if adopted by the people at the 1980 general election)

Provides for the adjustment, according to the consumer price index, in each general election year of the expenditure limits for candidates for governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator and state representative. Increases from $1 to $2 (from $2 to $4 on a joint return) the amount that an individual may designate on his state income tax return to be paid from the general fund of the state into the state elections campaign fund. Makes provision for reallocation of moneys from the state elections campaign fund where a political party does not have a candidate for a particular office, or where a party does not distribute moneys received from the fund to its candidates. (effective upon ratification of the proposed constitutional amendment providing for expenditure limits and public disclosure of campaign spending)

Repeals the expenditure limits for candidates for governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator, and state representative. Specifies that the tax credit provided in sec. 290.06, subdivision 11, Minnesota Statutes Annotated, may be allowed for contributions to any candidate for statewide or legislative office (other than federal offices) or for certain judicial offices, without any agreement by the candidate to limit his campaign expenditures. (effective December 31, 1981, if the proposed constitutional amendment providing for expenditure limits and public disclosure of campaign spending is not ratified by the voters)

NEBRASKA

LB 535, Approved 4/17/80

Amends, effective January 1, 1981, provisions of the Nebraska Political Accountability and Disclosure Act.

Modifies the definition of "candidate" to include an individual who receives a contribution, makes an expenditure, or gives consent for another person to receive a contribution or make an expenditure with a view to bringing about the individual's nomination or election to an elective office, whether or not the specific elective office for which the individual will seek nomination or election is known at the time the contribution is received or the expenditure is made.

Amends the definition of "committee" to mean two or more individuals who receive contributions or make expenditures of over $400 for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election on one or more candidates, or the qualification, passage, or defeat of one or more ballot questions; or a candidate, corporation, or group whose primary purpose is to receive contributions or make expenditures and receives or makes more than $400 in contributions or expenditures, for the purpose of influencing or attempting to influence the action of the voters in regard to the nomination or election of candidates or the adoption of measures on the ballot. Defines "independent committee" as a committee other than a candidate, ballot question, or political party committee.

Requires each committee to have a treasurer who is a qualified elector of the state. Permits a candidate to appoint himself or herself as the candidate committee treasurer. Directs each committee to designate one account in a financial institution in the state as an official depository for the purpose of depositing all contributions which it receives and making all expenditures. Secondary depositories shall be used for the sole purpose of depositing contributions and promptly transferring the deposits to the committee's official depository.

Specifies that when any of the information required in a statement of organization is changed, such change is to be reported when the next campaign statement is required to be filed.

Provides that the second preelection campaign statement shall be filed not later than the tenth (formerly, fifteenth) day before the election. The closing date for this statement is the fifteenth (formerly, twentieth) day before the election.

States that if a committee did not raise, receive, or expend more than $1,000, it shall only be required to file a post-election campaign statement, which statement need only indicate that fact. After the committee raises, receives, or expends in excess of $1,000, it shall then file the campaign statement next due and all statements that are due thereafter.

NEBRASKA CONT'D

Specifies the campaign statements to be filed by a ballot question committee.

Provides that a copy of the campaign statement of a district political party committee is to be filed with the election commissioner or, if there is no election commissioner, the clerk of the most populous county in the district. A copy of the campaign report of a county committee shall be filed with the election commissioner or, if there is no election commissioner, the clerk of that county. A copy of the campaign statement of any other committee not covered under sec. 49-1464 of the Revised Statutes of Nebraska shall be filed with the election commissioner or, if there is no commissioner, the clerk of the county of residence of a majority of the candidates for whom it made expenditures.

Provides that any corporation, labor organization, or industry, trade, or professional association without being a committee may make expenditures or provide personal services. It shall not be required to file reports of independent expenditures pursuant to sec. 49-1467 of the Revised Statutes of Nebraska, but shall file a report with the accountability and disclosure commission within ten days after the end of the calendar month in which any expenditure is made or personal service provided. Specifies that a corporation, labor organization, or industry, trade, or professional association may not receive contributions unless it establishes a separate segregated political fund which may be used only for the purpose of receiving such contributions and making expenditures in the manner provided for. Prohibits the corporation, labor organization, or association establishing and administering the separate segregated political fund from making any expenditure to the fund, except that it may make expenditures and provide personal services for the establishment and administration of the fund. All contributions to and expenditures from the separate segregated political fund are to be limited to money or anything of value obtained through voluntary contributions of the employees, officers, directors, stockholders, or members of the corporation, including a nonprofit corporation, labor organization, or industry, trade, or professional association and the affiliates thereof. Only expenditures to candidates and committees and independent expenditures may be made from such fund. Such a separate segregated fund is declared to be an independent committee and subject to all provisions of the campaign finance laws that are applicable to independent committees, and the corporation, labor organization, or industry, trade or professional association which establishes and administers the fund shall make the reports and filings required therefor.

Specifies that a candidate committee shall not make a contribution to or an independent expenditure in behalf of another candidate committee, except that a candidate committee may make a contribution to another candidate committee for a fund raising event of such other candidate committee.

Provides that no person or committee shall print, publish, or distribute in quantity campaign advertising which contains any statement, notice, or other material concerning a candidate, political party, or ballot question, without

also printing theron the name of the person or committee responsible therefor. Specifies that this requirement is not applicable to windshield stickers, yard signs, bumper stickers, or to official ballot pamphlets, or cards containing only biographical and other factual information relating to a candidate and printed or reproduced at the request of that candidate or his candidate committee.

NEW JERSEY

SB 1176, Chapter 74, Approved 7/23/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Relates generally to public financing of gubernatorial election campaigns. Extends such financing to primary campaigns.

Repeals expenditure limitations, except for candidates in the primary and general election for governor who receive public financing. The amount which may be spent in aid of the candidacy of any such gubernatorial candidate is $.35 in a primary and $.70 in a general election for each voter in the state who voted in the last general election in a presidential election year. Specifies that such sums shall not include the traveling expenses of the candidate or of any person other than the candidate if such traveling expenses are voluntarily paid by that person and are not to be repaid to him by the candidate.

Limits contributions by a person (other than a candidate for governor) or a political committee to a candidate, a party committee, or to any other committee or person in aid of the candidacy of a candidate for nomination for election or for election to the office of governor to $800 in the aggregate in any primary or general election. This provision shall not be construed to prohibit a contribution or contributions in the aggregate not in excess of $800 in a primary and another contribution or contributions in the aggregate not in excess of $800 in a general election. Limits contributions by the spouse of a contributor to $800 in the aggregate in a general gubernatorial election. Provides that no candidate receiving public funds may make expenditures from his own funds, including any contributions from his own funds, in aid of his candidacy for nomination or election to the office of governor in excess of $25,000 for the primary and $25,000 for the general election.

Specifies that the legislature is to appropriate to the state election law enforcement commission out of the gubernatorial elections fund and, if necessary, out of the general treasury of the state, such sums as are necessary to carry out the public financing of gubernatorial elections. The legislature is to determine the proportion of the funds that is to be used in the primary and in the general election.

Directs each candidate in the primary and general election for governor to create, with the approval of the election law enforcement commission, an account in a national or state bank, into which all contributions are to be deposited. Provides that immediately after deposit in the bank account the candidate or his campaign treasurer or deputy treasurer may transfer or expend the moneys, except that no moneys deposited in a candidate's bank account for the primary may be expended for any candidate's general election expenses, and except that no moneys deposited in a candidate's bank account for a general election may be transferred or expended until the day following the primary or may be expended for primary expenses.

NEW JERSEY CONT'D

Provides that the campaign treasurer of a candidate for governor who is qualified to receive public financing in a primary election shall, upon application to the election law enforcement commission, receive in behalf of the candidate from the gubernatorial elections fund for campaign expenses moneys in an amount equal to twice the amount of not more than $800 of each contribution deposited in the candidate's primary election bank account. No payment is to be made from the fund to any candidate for the first $50,000 deposited in the candidate's bank account. Specifies that no payment from the fund is to be made prior to January 1 of the election year. States that the maximum amount that a candidate may receive from the fund for a primary shall not exceed $.20 per voter who cast a ballot in the state in the last presidential election.

Permits the campaign treasurer of a candidate qualified to receive public financing in a general gubernatorial election to receive, upon application to the commission, from the fund for general election campaign expenses, moneys in an amount equal to twice the amount of not more than $800 of each contribution deposited in the candidate's bank account. No payment is to be made from the fund for the first $50,000 deposited in the candidate's bank account. Provides that the payment from the fund to the candidate's treasurer for the general election shall not be made prior to the primary eleciton. Specifies that the maximum amount which a candidate may receive from the fund for a general election campaign is $.40 per voter who voted in the state in the last presidential election.

Provides that no contribution which is to be refunded or repaid at any time, no loan obtained pursuant to sec. 19:44A-44 of the New Jersey Statutes Annotated, no amount of a candidate's own funds in the aggregate in excess of $800, and no other moneys received by a candidate or his treasurer, except contributions of up to $800 in a primary or general election by a person (other than a candidate) or a political committee, shall be deposited in the primary or general election bank accounts of a candidate that are used for the purpose of determining the amount to which he is entitled from the gubernatorial elections fund. Instead, such contributions are to be deposited in separate bank accounts from which expenditures for the primary and general election campaigns may be made.

Prohibits any contribution by a county or municipal committee of any political party from being deposited into any candidate's bank accounts. Permits a state committee to forward to a candidate and have deposited into the candidate's general election bank account (the account used to determine the candidate's entitlement to moneys in the general election from the gubernatorial elections fund) money in aid of his candidacy.

Permits expenditures from the gubernatorial elections fund for election campaign expenses to be made for the following purposes, in addition to previously authorized purposes: payment of the cost of legal and accounting expenses incurred in complying with public financing laws and regulations; and payment of the cost of telephone deposits, installation charges, and monthly billings. Specifies that within six months after the primary and general elections, respectively, a candidate shall return to the fund the amount of any public funds used to pay such telephone deposits which are later returned.

Amends sec. 19:44A-44 of the New Jersey Statutes Annotated, relating to loans, so as to provide that any gubernatorial candidate in a primary or general election, or his campaign treasurer or deputy treasurer, may borrow funds from any national or state bank. Prohibits any person or political committee, other than the candidate himself or the state committee of any political party in a general election from endorsing or guaranteeing such a loan in an amount in the aggregate in excess of $800. Specifies that the endorsement shall constitute a contribution for so long as the loan is outstanding.

Permits contributions to a political committee associated with a person who becomes a candidate for governor in a primary which have been deposited in a campaign bank account pursuant to sec. 19:44A-12 prior to December 1, 1979, to be transferred to a separate bank account established pursuant to sec. 19:44A-32. Such transferred funds may be used and be eligible for matching public funds upon submission of documentation relative to identification of the contributor and contribution of the funds in accordance with applicable laws.

Prohibits any person, candidate, or political committee, otherwise eligible to make political contributions, from making any contribution for the purpose of a gubernatorial inaugural fund-raising event in the aggregate in excess of $250. Requires the person or committee sponsoring the event to make a full report of all contributions and expenditures relating to the event within forty-five days following the event.

OHIO

SB 251, Approved 4/2/80

Provides that a vacancy in the Ohio elections commission (which enforces the campaign finance laws) may be caused by death, resignation, or three absences from commission meetings in a calendar year, if such absences are caused by reasons declared insufficient by a majority vote of the remaining members of the commission. Specifies that no person may hold or be a candidate for any public office or serve on a committee supporting or opposing any issue or proposition at the time he takes office or during the time he serves as a member of the commission.

Amends the provision relating to identification of campaign advertising so as to specify that no person is to write, print, post, or distribute a notice, placard, advertisement, sample ballot, or any other form of general publication which is designed to promote the adoption or defeat of any issue, to promote the nomination or election or defeat of a candidate, or to influence the voters in any election, or make an expenditure for the purpose of financing political communications unless there appears on such form of publication the name and residence or business address of the chairman, treasurer, or secretary of the organization issuing the same, or the person who issues, makes, or is responsible therefor. Provides that the disclaimer "paid political advertisement" is not sufficient to meet this identification requirement. When an advertisement is issued by the regularly constituted central or executive committee of a political party, it shall be sufficiently identified if it bears the name of the committee and its chairman or treasurer. Specifies that the identification requirement does not apply to the transmittal of personal correspondence that is not reproduced by machine for general distribution. Authorizes the secretary of state to exempt from the identification requirement printed matter and printed communications such as campaign buttons, balloons, pencils, or like items, the size or nature of which makes it unreasonable to add an identification or disclaimer.

States that campaign communications by radio need not broadcast the residence or business address of the chairman, treasurer, or secretary of the organization responsible for the advertisement. However, a radio station must keep the residence or business address on file for six months and divulge it to any person upon request. Prohibits a person operating a broadcast station or any organ of printed media from broadcasting or printing any paid political communication that does not contain the required identification.

Prohibits anyone during a campaign from purposely making a statement that a candidate has been indicted for any crime without disclosing the outcome of any legal proceedings resulting from the indictment. Also prohibits the publication and distribution of a written or printed false statement concerning a candidate by a person if he either knows the statement to be false or acted with reckless disregard of whether it is false or not.

Provides that in any action before the Ohio elections commission, if the alle-

gations of the person who filed an affidavit are not proved, and the commission seeks neither civil nor criminal relief in court, the commission may find that the complaint is frivolous, and order the complainant to pay costs.

Prohibits certain conduct during the course of any campaign in advocacy of or in opposition to the adoption of any proposition or issue submitted to the voters. Among the prohibited conduct is the following: serving, or placing another person to serve, as an agent or employee in the election campaign organization of a committee which advocates or is in opposition to the adoption of any ballot proposition or issue for the purpose of acting to impede the conduct of the campaign on the proposition or issue or of reporting information to the employee's employer or the agent's principal without the knowledge of the committee; falsely stating the endorsement of or opposition to a ballot proposition or issue by a person or publication; publishing or distributing a false statement, either knowing the same to be false or acting with reckless disregard of whether it was false or not, that is designed to promote the adoption or defeat of any ballot proposition or issue.

PENNSYLVANIA

SB 543, Act 127, Approved 7/11/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Amends the definition of "valuable thing" so as to exclude from the definition certain categories of items. Provides than any of the categories excluded shall not be deemed a contribution or expenditure for purposes of reporting or record keeping. Examples of the de minimus items excluded from the definition of "valuable thing" are: voluntary personal services provided by individuals who volunteer their time on behalf of a candidate or political commitee; certain uses of the real and personal property of the candidate or volunteers for the candidate (up to specified dollar maximums for the use of personal property); and any unreimbursed payment for travel expenses made by any individual on behalf of any candidate to the extent that the cumulative value of such travel activity by such individual on behalf of any single candidate does not exceed $250 with respect to any single election.

Specifies that records of the names and address of contributors of over $10 shall be retained by the candidate or treasurer for three (formerly, five) years after the information is reported. Requires vouchers or copies of vouchers for all sums expended amounting to more than $25 to be retained by the candidate or the committee treasurer and to be available for public inspection and copying. (Formerly, such vouchers were to accompany campaign finance reports.)

Provides that in lieu of filing pre-election, post-election, and annual reports, a candidate for local office (including county, township, city, school district, magisterial district, town and borough offices), who does not form a political committee shall file an additional affidavit with his nomination papers stating that he: (a) does not intend to receive contributions or make expenditures in excess of $250 during any reporting period; (b) will keep records of contributions and expenditures; and (c) will file pre-election, post-election, and annual reports for any reporting period during which he receives contributions or makes expenditures in excess of $250.

Requires the annual report filed by all political committees and candidates to be complete as of December 31 of the prior year. (Formerly, such reports had to be complete as of January 15 of each year.)

States that each form designated by the secretary of the commonwealth for filing a post-election report shall contain a block which may be marked by the candidate or political committee designating it a termination report. If such report is so designated, then no annual report need be filed unless contributions were received or expenditures made subsequent to the time period for filing of such termination report. Provides that no candidate or political committee may terminate by way of a statement where the unpaid balance indicated in the previous report was greater than $250.

Provides that if a political committee makes aggregate expenditures of less than $250 or incurs aggregate debt of less than $250 during the calendar year to influence an election, it need not file an annual report. However, this exemption is not applicable to a candidate's political committee, a state or county committee of a political party or political body, or to a political action committee of a corporation or unincorporated association.

Specifies that a report or statement of expenditures and contributions shall be deemed to have been filed within the prescribed time if the letter transmitting the report or statement is transmitted by first class mail and is postmarked on the day prior to the final day on which the report or statement is to be received. However, this provision is not applicable to reports of late contributions filed pursuant to t. 25, sec. 3248 of the Pennsylvania Statutes Annotated.

Specifes that there is no prohibition on the receipt of interest or dividends on investments where the interest or dividends are received in accordance with the banking laws and in the ordinary course of business. Requires any such interest and dividends to be included in the financial records maintained by the candidate and political committees and reported where appropriate under the filing requirements.

Prohibits a candidate, chairman, or treasurer of any political committee from making any expenditure or incurring any liability except as provided in the definition of "expenditure" in t. 25, sec. 3241(d) of the Pennsylvania Statutes Annotated. (Formerly, an expenditure could be made or a liability incurred only for one of the purposes specified in sec. 3254.1.)

Directs the secretary of the commonwealth to select by lottery forty days after each primary, general and municipal election three percent of all public offices for which candidates must file nominating petitions or papers with the secretary. A certified public accountant shall audit the reports of all candidates for each public office that is selected in accordance with this procedure. The accountant shall also audit the reports of the committees authorized and created solely for the purpose of influencing an election on behalf of those candidates. Provides that although the accountant's findings are to be made public by the secretary of the commonwealth, the results of the primary election audit shall not be released to the public until after the general or municipal election.

HB 2104, Act 129, Approved 7/11/80

Provides that a political committee need not file an annual report pursuant to t. 25, sec. 3247 of the Pennsylvania Statutes Annotated, if it makes aggregate expenditures in an amount less than $250 or incurs aggregate debts in an amount less than $250 during the calendar year to influence an election. However, this exemption is not available to a candidate's political committee, a state or county committee of a political party or political body, or to a political action commitee of a corporation or unincorporated association. (NOTE: An identical provision is included in SB 543, which is summarized above.)

SOUTH DAKOTA

SB 106, Approved 2/8/80

Prohibits the imposition of filing fees for the filing of statements of contribution and financial interest in the office of secretary of state.

HB 1070, Approved 2/19/80

Prohibits any information that is obtained from any report or statement filed with the secretary of state pursuant to chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) from being sold or used by any person for the purpose of soliciting contributions, or any commercial purpose. Specifies that the prohibition on use for a commercial purpose does not include the sale of newspapers, magazines, books, or other similar communications, the principal purpose of which is not to communicate lists or other information obtained from a campaign finance report.

HB 1144, Approved 2/19/80

Permits municipalities and counties to make the provisions of chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) applicable to municipal elections.

TENNESSEE

HB 945, Chapter 861, Approved 5/1/80

Repeals sec. 2-1001 through 2-1017 of the Tennessee Code Annotated, relating to campaign financial disclosure, and enacts a new chapter of the code relating thereto. Specifies that the provisions of the new chapter are not applicable to any candidate for public office for which the service is part-time and for which the compensation is less than $100 per month. However, this exemption does not apply to a candidate for a public office as a chief administrative officer or to any candidate whose expenditures exceed $500. States that any charter provisions of municipalities regarding campaign financial disclosures of candidates for public office shall apply to those candidates, except to the extent that such provisions are in conflict with the provisions of this chapter.

Defines various terms used in the act. Defines "public office" as any state public office or local public office filled by the voters. "State public office" means the offices of governor, public service commissioner, member of the general assembly, delegate to a state constitutional convention, district attorney general, and supreme court justice. "Local public office" means any state, county, municipal, school, or other district or precinct office or position including judges and chancellors that is filled by the voters.

Directs each candidate for state public office or political campaign comittee in a state election to file with the state librarian a statement of all contributions received and all expenditures made by or on behalf of the candidate or committee. Each candidate for the office of member of the general assembly and each political campaign committee for such a candidate shall file a copy of the statement with the county election commission in the county of which the candidate is a resident. Directs each candidate for local public office or political campaign committee for a local election to file with the county election commission of the county where the election is held a statement of all contributions received and all expenditures made by or on behalf of the candidate or committee. The statements shall be filed as follows: (a) for the filing prior to any election or referendum, not later than seven days before the election; (b) for the filing after any primary election or referendum, not later than seven days before the general election; and (c) for the filing after any general election, not later than forty-eight days after the election. Provides that if the statement filed after an election shows an unexpended balance of contributions or an expenditure deficit, the candidate or political campaign committee shall file a supplemental statement of contributions and expenditures. However, if a candidate wins nomination, a supplemental statement need not be filed by the candidate with respect to the nomination campaign. The supplemental statement shall be filed one year after the election or referendum. Prohibits cumulative reporting for both primary and general elections for the same office in the same year.

Provides that a report shall consist of either a statement that neither the contributions received nor the expenditures made during the period for which the statement is submitted exceeded $1,000 or a statement setting forth the following: (a) the name and address of each person who contributed a total of more than $100 during the period for which the statement is submitted and the amount contributed by that person; (b) the total amount of contributions of $100 or less; (c) the name and address of each person to whom a total amount of more than $100 was paid during the period for which the statement is submitted, the total amount paid to that person, and the purpose thereof; and (d) the total amount of expenditures of $100 or less each, by category, without showing the exact amount of or vouching for each such expenditure.

Requires each candidate and each political campaign committee to certify the name and address of its political treasurer to the state librarian before it can receive or make an expenditure in a state election or to the county election commission before it can receive or make an expenditure in an election in the county where the election commission is located. Permits a candidate to appoint himself as the political treasurer.

Permits a registered voter of the state to file a sworn complaint alleging that a statement filed regarding an election for which that voter was qualified to vote does not conform to law or to the the truth or that a person has failed to file a report required by law. Specifies that any person who knowingly and willfully files a sworn complaint which is false or for the purpose of harassment shall be guilty of a misdemeanor and shall be liable for reasonable attorneys' fees incurred by the candidate who was the subject of such complaint. Directs the state attorney general to investigate complaints filed against candidates for state public office. Directs the district attorney general who represents the judicial district in which the voter making the complaint resides to investigate a complaint against a candidate for local public office.

Specifies that the state librarian and county election commissions are to make reports filed with them available for public inspection. Provides that whenever statements or other information is inspected, the librarian or county election commission shall make a record of such inspection and provide notice, within five days of the inspection, to the candidate or political campaign committee whose files have been inspected or copied that: (a) such inspection has taken place; (b) the name and address of the person making such inspection; (c) for whom the inspection was made; and (d) the date of the inspection. Such record shall be available for public inspection during the normal business hours of the librarian or county election commission.

WISCONSIN

AB 603, Chapter 328, Approved 5/7/80

Makes numerous amendments to the campaign financing laws, many of which are of a minor or technical nature.

Defines "clearly identified," when used with reference to a communication in support of or in opposition to a candidate, to mean that (a) the candidate's name appears; (b) a photograph or drawing of the candidate appears; or (c) the identity of the candidate is apparent by unambiguous reference. Specifies that it is not a contribution when a committee or group not organized exclusively for political purposes receives a gift, subscription, loan, etc., and does not use it for political purposes. Redefines "personal campaign committee" to mean a committee for the purpose of influencing the election or reelection of a candidate which acts with the cooperation of or upon consultation with the candidate or the candidate's agent or which is operating in concert with or pursuant to the authorization, request, or suggestion of the candidate or the candidate's agent.

Amends the general reporting exemption by, inter alia, raising the maximum amount which may be received or expended without filing reorts to $500 in a calendar year. Adds the requirement that the entity exempted must not anticipate accepting any contribution(s) from a single source exeeding $100 in that year. Permits a political party committee to be exempted form reporting requirements if it does not anticipate accepting contributions or making disbursements in an aggregate amount in excess of $1,000 in a calendar year and does not anticipate accepting any contribution(s) from a single source exceeding $100 in that year.

Provides that a candidate must file a registration statement no later than the time he becomes a candidate (within the meaning of sec. 11.01 of the Wisconsin Statutes Annotated). No candidate or agent of a candidate is permitted to accept any contribution when the candidate is not registered. Requires a committee, group or individual other than a candidate or agent of a candidate to register no later than the fifth business day commencing after receipt of the first contribution by the entity, and before making any disbursement. No committee, group, or individual, other than a candidate or agent of a candidate, may accept any contribution(s) exceeding $25 in the aggregate during a calendar year at any time when the entity is not registered, except within the initial five-day period. However, an individual, committee, or group may make a disbursement in the amount required to rent a postal box, or in the minimum amount required by a bank to open a checking account, prior to the time of registration, if the disbursement is properly reported on the first report submitted after the date that the entity is registered.

Requires reports filed pursuant to sec. 11.06 of the Wisconsin Statutes Annotated to include the name and address of the principal place of business, if any, of each individual contributor whose cumulative contributions for the year exceed $100. Specifies that a report by a committee that is acting independently of a candidate must include a separate schedule showing for each disbursement which is made independently of a candidate, other than a contribution to that candidate, the name of the candidate on whose behalf or in opposition to whom the disbursement is made, indicating whether the purpose is support or opposition.

States that all contributions received by any person acting as an agent of a candidate or treasurer shall be reported by such person to the candidate or treasurer within fifteen days (formerly, three days) of receipt. In the case of a contribution of money, the agent shall transmit the contribution to the candidate or treasurer within fifteen days (formerly, five days) of receipt.

Provides that every committee, other than a personal campaign committee, which, and every individual, other than a candidate, who desires to make disbursements which are to be used to advocate the election or defeat of any clearly identified candidate in any election shall, before making any disbursements in a calendar year in an aggregate amount in excess of $25, file with the registration statement a statement under oath affirming that the individual or committee does not act in cooperation or consultation with any candidate or agent or authorized committee of a candidate who is supported or opposed, and that the individual or committee does not act in concert with, or at the request or suggestion of, any candidate or any agent or authorized committee of a candidate who is supported or opposed.

Requires all funds received by a campaign or committee treasurer, group treasurer, candidate, or other individual to be deposited in a separate campaign depository account. The depository shall be established by every candidate no later than five business days after he receives his first contribution and before he makes or authorizes any disbursement. A depository shall be established by every other individual or treasurer no later than the fifth business day after becoming subject to a registration requirement and before making any disbursement. However, any candidate other than a candidate for statewide or legislative office who serves as his own campaign treasurer and who is authorized to make and makes an indication on his registration statement that he will not accept contributions, make disbursements or incur obligations in an aggregate amount exceeding $500 in a calendar year, may designate a single personal account as his campaign depository, and may intermingle personal and other funds with campaign funds in an amount not exceeding $500 per calendar year. If a separate depository is later established, all campaign funds in the personal account are to be transferred to the new depository account.

Directs a candidate and personal campaign committee of a candidate at a primary to file a pre-primary and pre-election report. A candidate and personal campaign committee of a candidate at an election shall file a pre-election report. States that a registered committee or individual other than a candidate or personal campaign committee making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to one or more candidates for office at a primary, or supporting or opposing other committees or individuals who are engaging in such activities, shall file a pre-primary and pre-election report. Requires such entities who are engaging in these activities in regard to an election to file a pre-election report. Directs every committee of a political party to file a pre-primary and pre-election report for every September primary and general election. Establishes certain exemptions from these reporting requirements.

Amends contribution limits and/or disbursement levels for candidates for certain judicial and local offices. Prohibits a political party from receiving more than $75,000 (formerly, $25,000) in value of its contributions in any year from all other committees, excluding transfers between party committees of the party. No party may receive more than $6,000 (formerly, $3,000) in value of its contributions in any year from any specific committee or its subunits or affiliates, excluding political party committees. Prohibits a committee, other than a political party committee, from making any contributions(s), directly or indirectly, to a political party in a year exceeding a total value of $6,000 (formerly, $3,000).

Provides that a legislative campaign committee, which is a committee organized in either house of the legislature, may accept no contributions and make no contributions or disbursements exceeding the amounts authorized for a political party. Specifies that a legislative campaign committee is not subject to the limitations specified in sec. 11.26(2)(b) and (c) of the Wisconsin Statutes Annotated. Provides that amounts contributed by a legislative campaign committee to a political party are not subject to limitation.

States that if all candidates for an office who are certified to appear on the primary ballot of all parties have no opponent certified to appear on the same primary ballot, the separate limitations for disbursements made during the primary and election period do not apply to candidates for that office in that primary and election, and the candidates are bound only by the total limitation specified for the primary and election. Provides that except as specified in 11.31(3m) of the Wisconsin Statutes Annotated (relating to disbursement levels for candidates for governor and lieutenant governor), whenever a separate disbursement level exists for a primary and election, a candidate who disburses less than the authorized level in the primary may not reallocate the balance to increase the level in the election. Whenever a separate disbursement level is not specified for a primary and election, a candidatae may allocate disbursements between the primary and election campaign within the total level of disbursements in any proportion desired, and may carry over unexpended contributions from a primary to an election campaign.

Amends sec. 11.38 of the Wisconsin Statutes Annotated, relating to contributions and disbursements by corporations and cooperatives, to provide, inter alia, that no foreign or domestic corporation, or association organized under ch. 185 of the Wisconsin Statutes, may make any contribution or disbursement, directly or indirectly, either independently or through any political party, committee, group, candidate or individual for any purpose other than to promote or defeat a referendum. However, any such corporation or association may establish and administer a separate segregated fund and solicit contributions from individuals to the fund to be utilized by such corporation or association, for the purpose of supporting or opposing any candidate for state or local office but the corporation or association may not make any contribution to the fund. The fund must appoint a treasurer and register as a political committee under sec. 11.05 of the Wisconsin Statutes. A parent corporation or association engaging solely in this activity is not subject to registration under sec. 11.05, but must register and file special reports disclosing its administration and solicitation expenses on behalf of the fund. No corporation or association may spend more than $500 annually for solicitatiton of contributions to such a fund.

Permits contributions of more than $50 to be made by credit card and evidenced by by an itemized receipt. (Formerly, contributions in excess of $50 could be made only by negotiable instrument.)

WYOMING

HB 114, Chapter 31, Approved 3/5/80

Repeals the provision which required suppliers of campaign advertising to file post-election reports of the type, cost, and quantity of advertising supplied, and the names of the persons or committees paying for the advertising.

SECTION III - FEDERAL LEGISLATION

SYNOPSIS OF MAJOR FEDERAL LEGISLATION - 96TH CONGRESS

Campaign Financing - Public Financing

Presently, public financing is available to presidential candidates in both primary and general election campaigns. As special interest contributions toward congressional elections escalate, so interest in public financing grows. Proposals to extend public financing to congressional candidates have been introduced in every Congress since the 93rd Congress. In the 96th Congress, both the House and the Senate have introduced public financing bills.

S. 623, introduced by Senator Kennedy, has been co-sponsored by Senators Mathias, Cranston, Stafford, Tsongas, Cohen, De Concini and Biden. S. 623 provides for voluntary public financing of general elections to the U.S. Senate. To receive federal money, candidates would agree on limiting expenditures for any one campaign to $250,000 plus $.10 multiplied by the voting age population of the appropriate state; raise at least $100,000 or ten percent of allowable total of campaign expenditure from individuals contributing $100 or less; receive at least eighty percent of total contributions from residents of their own state; and expend not more than $35,000 of their own personal funds toward the campaign. Funds would be matched in increments of $10,000 until the amount of campaign funds total the agreed on spending ceiling for that state. S. 623 also specifies certain conditions where all candidates in a specific race would be relieved of their limited expenditure promises.

S. 1339, introduced by Senator Stone, is another public financing bill. In this bill the public financing aspect would be activated only when any candidate in a particular election campaign for the U.S. Senate accepts contributions which exceed the contribution threshold of $250,000 plus $.10 multiplied by the voting age population of the respective state.

Public financing was a big issue in the House and had been given the symbolically important designation H.R. 1 by the House leadership. H.R. 1 was introduced by Representative Mikva and had been co-sponsored by 150 House members. H.R. 1 provided for voluntary public financing of general elections to the House of Representatives. To receive federal money, candidates would agree on a spending ceiling of $150,000 plus $15,000 for one mailing within a district; raise at least $1,000 on their own from individuals contributing $100 or less; receive at least eighty percent of total contributions from residents of their own state; and expend not more than $25,000 out of their own pockets toward the campaign. Funds would be matched in $10,000 increments up to $60,000, not exceeding, in the aggregate, $180,000 for all candidates. In the event that a candidate chose not to accept public money and to spend more than $25,000 of his or her personal funds or $75,000 overall, H.R. 1 would relieve all candidates in that race of their spending ceiling promises and they would be eligible to receive additional federal funds. Hearings for H.R. 1 were held on March 15, 20, 21, 22 and 27, 1979, by the House Administration Committee. The bill was voted down by the committee on May 24, 1979. A roll call vote to report the bill out of committee without approval, was also defeated. A motion to reconsider the bill was approved unanimously by the committee on May 24, 1979.

H.R. 2221, introduced by Representative Pease, is a combination of H.R. 1 and another bill which specifies the tax check-off system that provides the money for public financing. H.R. 564, introduced by Representative Mazzoli, is basically a more economical version of H.R. 1. The spending ceiling is $125,000 per campaign with a matching payment limit of $51,000 and a $150,000 aggregate payment limit to all candidates in an election.

H.R. 496, introduced by Representative Howard, has a spending ceiling of $100,000; requires that total campaign contributions exceed $10,000 with the aggregate of individual contributions not exceeding $100; prohibits candidates from expending more than $10,000 in personal funds; limits total amount of payments per candidate to $50,000 with a limit of $100,000, in the aggregate, to all candidates in one campaign. If any candidate exceeds money limits, all of the candidates in that campaign are relieved of expenditure limitations.

Though H.R. 2849, introduced by Representative Maguire, provides for public financing of congressional campaigns, dollar amounts throughout the bill are given only for the House. To be eligible to receive payments under H.R. 2849, House candidates must have received at least $7,500 in contributions, agree to limit expenditures to $125,000 in a primary or general election campaign and agree to certain record keeping and auditing requirements. The bill also limits the total amount of public funds received by one candidate to be not more than fifty percent of the expenditure limitation.

Electoral College Reform

Currently, the President and Vice President are not elected by direct popular vote, but are instead chosen by the Electoral College which is basically composed of individuals who are elected and convene in their own states. Under the practice followed in most states, the presidential candidate whose party receives a plurality of the popular vote is awarded all of the electoral votes of that state. The number of electoral votes to which each state is entitled equals the number of Representatives and Senators which the state has in Congress. The "winner take all" aspects of the Electoral College System often result in a presidential candidate receiving an electoral vote total which does not reflect the popular vote received by the presidential electors.

As in past Congresses, several proposals have been introduced during the 96th Congress to change the method of electing the President and Vice President. Some of the proposals would retain the present electoral vote system, but with certain changes so that the electoral vote would be more reflective of the popular vote received by the candidate. Other proposals would totally eliminate the electoral vote system and would elect the President and Vice President by direct popular vote.

S.J. Res. 1 and an identical S.J. Res. 28, introduced by Senator Bayh, proposed the direct election of the President and Vice President. S.J. Res. 28 was placed on the Senate calendar on February 22, 1979, bypassing committee action. Later, it was agreed that the proposed amendment would go to the Judiciary Committee for hearings (to give its six new members time for study), be reported back to the Senate during April and be called up for Senate action by the majority leader any time after June 1, 1979. Hearings were held March 27, 30, April 3rd and 9th. Senate Rept. No. 96-111 was submitted by the Judiciary Committee. The Senate considered S.J. Res. 28 on June 21, 26, 27, and July 9. The resolution failed to pass the Senate on July 10, 1979.

The House has introduced a total of eighteen "direct" election proposals. The majority of these proposals require a team (consisting of a candidate for President and a candidate for Vice-President) to win forty percent of the vote in order to win the election; if the required percentage is not attained, the majority of the proposals specify that a run-off election must be held. S.J. Res. 51, introduced by Senator Cannon, H.J. Res. 88, introduced by Representative Vander Jagt, and H.J. Res. 125, introduced by Representative Ashbrook, propose a "proportional" plan where the electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received. H.J. Res. 106, introduced by Representative Fuqua, H.J. Res. 207, introduced by Representative Conable, and H.J. Res. 549 introduced by Representative Derwinski, propose the "district" plan where the electoral college is preserved but where the electors would be chosen by the voters from districts created within the state. S.J. Res. 48, introduced by Senator Bayh and H.J. Res. 223, introduced by Representative Bingham, propose the "automatic" plan where the Electoral College would be abolished but where the electoral votes of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state (see analysis of the Electoral College at the end of Section III - Federal Legislation, for more information).

Free Mailing of Absentee Ballots

Hearings were held on March 13, before the Post Office and Civil Service Committee's Subcommittee on Postal Operations and Services, on proposed legislation to permit the free mailing of absentee ballots for federal offices. The four proposals include: H.R. 4759, introduced by Rep. Bonker, which would provide for the free mailing of absentee ballots from an individual to an election agency; H.R. 4773, introduced by Rep. Tauke, and H.R. 4843, introduced by Rep. Corcoran, which provide for the free mailing of absentee ballots from an individual to an election agency and vice versa; and H.R. 5529, introduced by Rep. Spellman, which calls for the free mailing of absentee ballots from an individual to an election agency as well as providing for third-class postage rates for certain registration materials sent to an individual from an election agency and vice versa. None of the bills would allow free postage to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975.

S. 16 1/15/79 Weicker Rules and Administration

"Presidential Primary Act"

PRIMARY ELECTIONS - PRESIDENTIAL:
- Provides that a nationwide Presidential primary be held in each state on the 1st Tuesday in August of each Presidential election year;
- Voters may vote only for the candidates of the voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- If there is no provision for registering for party affiliation in a state, voters shall follow the procedure prescribed by the Attorney General in registering their party affiliation for this primary;
- The results of the primary shall be transmitted to the President of the Senate within five days, and five days after received the results shall be published in the Congressional Record;
- To qualify as a candidate, an individual must file a petition by June 30 with a required number of signatures equaling at least one percent of the total votes cast in the previous Presidential election, but no signature will be accepted from a person who is a member of a different political party from the candidate's party;
- If the winning candidate does not receive fifty percent of the votes cast for all candidates of his party, a second primary shall be held the third Tuesday following the first primary and a run-off shall be between the two-party candidates receiving the greatest number of votes;
- If a Presidential candidate dies or resigns before nominating a Vice Presidential candidate, the successor will be nominated by the party convention, or, if both candidates die or resign, new candidates will be chosen by the national party committee composed of a delegation of each state;

CONTRIBUTIONS AND EXPENDITURE LIMITATIONS:
- Limits federal campaign contribution and expenditures to the year in which a federal election is held;

S. 21 1/15/79 Weicker Finance

CAMPAIGN FINANCING - PUBLIC FINANCING - PRESIDENTIAL CAMPAIGNS:
- Repeals public financing provisions for Presidential primary and general election campaigns;

S. 22 1/15/79 Proxmire Commerce, Science and Transportation

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:
- Repeals the following sections of the Communications Act of 1934:
  (1) Section requiring broadcast stations to permit a legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy;
  (2) Section requiring broadcast stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time;
  (3) Section prohibiting political editorials by broadcast stations;

S. 217 1/25/79 Proxmire Banking, Housing & Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:
- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

S. 291 1/31/79 Ribicoff Governmental Affairs

"Voters Information Act of 1979"

INFORMATION ON ELECTIONS - POST OFFICE LISTING:
- Provides for posting information in post offices with respect to registration, voting and communicating with lawmakers at the federal and state levels;

S. 392 2/8/79 Cohen et al. Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Requires that efforts be made to locate polling and registration places for federal elections which are readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by an elevator;
- Requires filing of a report with the Attorney General sixty days before election or close of registration when standards prescribed are not met;
- States which have established equivalent building standards are not required to comply;

S. 392 cont.

- Alternative methods of voting provided when standards prescribed are not met: 1) selection of an alternative polling place within the same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing the right to vote;
- Alternative methods of registration must be enacted if requirements are not met;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) written instructions and directions must be posted at each polling and registration place sufficient to provide deaf individuals with adequate information; 3) individual must be allowed to select another individual to accompany him to the polls;
- Attorney General may institute in the name of the U.S. any action in U.S. district court which will assure implementation of this Act;

S. 596 3/8/79 Danforth et al. Governmental Affairs

"Congressional Anti-Gerrymandering Act of 1979"

APPORTIONMENT AND REDISTRICTING:
- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. sec. 2a) as follows:
- Provides that each state establish a five-member redistricting commission, appointed as follows:
    1. Partisan bicameral legislature--the following people will each appoint one member:
        a. majority leader of the state senate
        b. speaker of the state house
        c. minority leader of the state senate
        d. minority leader of the state house
    2. Nonpartisan bicameral legislature--leader of each house will appoint two members
    3. Partisan unicameral legislature--the majority leader and the minority leader appoint two members
    4. Nonpartisan unicameral legislature--leader of legislature appoints four members; no more than two may be members of the same political party after consultation with leaders of state political parties
    5. The fifth member shall be the chairman of each state commission and shall be chosen by the other four members
- Redistricting commission will establish a number of districts equal to number of Representatives entitled, using the following standards:
    1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than two percent from the quotient obtained by dividing the population of the state by the number of Representatives entitled
    2. Boundaries of each district will be composed of convenient contiguous territory and will be compact

S. 596 cont.

  3. Boundaries may not be drawn to favor a political party, incumbent or other individual, nor to dilute the voting strength of any language or racial minority group

- Specifies that this Act will not supersede any section of the Voters' Rights Act of 1965;
- Specifies that the commission will conduct a public hearing in preparing a plan in setting up district boundaries;
- Provides that, not later than sixty days after publication of the district plan, any person meeting the qualifications of a voter for a member of the House of Representatives can challenge the apportionment in the district court;
- Specifies that the U.S. district court will have exclusive jurisdiction, appeals must be filed within thirty days after decisions and the Supreme Court will hear appeals as soon as practicable;
- Specifies that the redistricting commission ceases to exist after the redistricting plan is put into effect;
- Provides criteria to be followed to elect Representatives until a state is redistricted in a lawful manner after any apportionment;
- Stipulates that the Federal Election Commission will provide reasonable costs incurred by state commissions while carrying out this Act;

S. 597	3/8/79	Bayh	Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Similar to S. 392 except that it does not specify special provisions for deaf people and does include braille ballots as an alternative method for blind persons;

S. 623	3/12/79	Kennedy et al.	Rules and Administration

"Senate Election Reform Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIGIBLE FOR MATCHING FUNDS:
- Commission must certify the eligibility of candidates to the Secretary of Treasury within forty-eight hours after a candidate files a request;
- Certifies to Federal Election Commission (FEC):
  1. To expend not more than $250,000 plus $.10 multiplied by the voting age population of appropriate state
  2. That $100,000 or ten percent of allowable total of campaign expenditure (whichever is smaller) have been received for candidate
- Agrees with FEC:
  1. To furnish them with campaign records (contributions and expenditures)
  2. To cooperate in any audit conducted by the Commission
  3. To receive only contributions approved of in 2 U.S.C. sec. 441a

S. 623 cont.

4. To expend not more than $35,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTION RECEIVED FOR MATCHING FUNDS:

- Contributions received as loan, subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contributions exceed $100 shall not be taken into account;
- Contributions received before September 1st immediately preceding general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:

- Initial payment of $100,000 or ten percent of allowable total of campaign contributions;
- In increments of $10,000 until the total amount of contributions received by him and matching payments made previously add up to the agreed spending ceiling for that state;
- At least two candidates have qualified for the election ballot in that state;
- Non-state contributions will not be matched if such contributions exceed twenty percent of aggregate matchable contributions;
- If full amount of entitlement is not available in account, amount remaining will be prorated;
- Payments can be used only to defray election cost for the election for which they were received and cannot be used to repay loans or make payments in any amount to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:

- If any other candidate in the same election:
    1. Fails to file a declaration of whether he intends to abide by expenditure limitations within ninety days of election
    2. Notifies Commission within sixty days before an election that there are reasons to believe expenditure limitations will be exceeded
    3. Notifies Commission and all other candidates in election within forty-eight hours after expenditure limitation has been exceeded
- Additional amount entitled cannot exceed fifty percent of the amount of expenditure limitation and will be based on contributions received after date expenditure limitation was suspended;
- If independent expenditures are made or costs of communication aggregate more than one-third of the limitation on expenditures, the Commission will suspend the limitation on expenditures;

SENATE GENERAL ELECTION CAMPAIGN ACCOUNT:

- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

CONTROLS AND ENFORCEMENT:

- Commission will conduct examination and audit campaign expenditures of all candidates after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 704 3/21/79 Dole Rules and Administration

ELECTION OFFENSES - STATUTE OF LIMITATIONS:
- Amends Federal Election Campaign act of 1971 changing the statute of limitation from three years to four years;

S. 714 3/21/79 Stevenson Rules and Administration

"Campaign Contributions Act of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Prohibits multicandidate political committees from contributing to the campaign of a candidate for federal office;
- Stipulates candidate to the House of Representatives may receive $5,000 for a campaign by the committee of a political party;

S. 832 3/29/79 Pell Rules and Administration

ACTION: 3/29/79 - Reported from Comm., S. Rept. 96-53
4/4/79 - Passed Senate
4/5/79 - Referred to House Administration Comm.
8/2/79 - Reported from H. Comm., H. Rept. 96-408 Supp. Rept. 9/12/79
10/17/79 - Passed House Amended
10/17/79 - House asked for a conference

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Amends the Federal Election Campaign Act of 1971 (FECA) to authorize appropriations for the Federal Election Commission for fiscal year 1980 (House amended this bill by inserting text of H.R. 4970)
- Prohibits nonparty multicandidate political committees from making contributions to a candidate for House of Representatives which exceed the following amounts;
    1. $6,000 - for general or special election and primary election relating to such election
    2. $6,000 - for primary and runoff election relating to a general or special election
    3. $9,000 - for a general or special election and both a primary and runoff election relating to such election
    4. $5,000 - for any single election
- Prohibits candidates for House of Representatives or any authorized political committee from accepting contributions from political committees other than committees of a political party which exceed the following amounts:
    1. $70,000 - for a general or special election and a primary election relating to such election
    2. $70,000 - for a primary and runoff election relating to a general or special election

S. 832 cont.

3. $85,000 - for a general or special election and both a primary and run-off election relating to such election

- Prohibits the Commission from using appropriated funds to conduct audits of House or Senate candidates unless the Commission has reason to believe that such candidates have violated provisions of the FECA;
- Limits the amount of expenditures to be used for Clearinghouse functions provided under the FECA;
- Amends the definition of "contribution" by adding any extension of credit to a candidate or political committee by a person (other than a broadcasting station, newspaper, or magazine) providing goods or services relating to political advertising when such extension of credit:
  1. Exceeds the normal time allowed by such person or sixty days from the date the goods or services are provided
  2. Is in connection with the mailing of materials which solicit funds to influence an election
- Specifies that after-election contributions will be considered a contribution only if the candidate has insufficient funds to pay election expenses at the time of receipt of the contribution;
- Provides that contributions made by an individual but which appear to be made by or on behalf of a political committee must be reported by that political committee as a contribution;
- Prohibits a congressional candidate from using more than $35,000 campaign contributions as reimbursement for the personal funds the candidate expended in the campaign.

S. 964 4/10/79 Packwood et al. Rules and Administration

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:

- Establishes five regional Presidential preference primary elections, the first to be held in March and the last in July of each Presidential election year;
- Individuals generally recognized in national news media as candidates, unless they sign an affidavit to the contrary, will appear on the ballot, as well as any candidate who files a nomination petition signed by one percent of the regtered voters of the region, or who pays a $10,000 filing fee;
- Regional primary will be held in each state which chooses to hold a primary;
- Voters may vote only in primary of their registered party affiliation;
- Candidate receiving five percent or more of votes to appoint number of convention delegates proportionately to number of votes received, and delegates generally bound to vote for that candidate;
- FEC to administer primaries;

S. 994 4/24/79 Pell Rules and Administration
ACTION: 5/8/79 - Reported from Rules and Administration S. Comm.
No written report
5/10/79 - Passed Senate

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC;

S. 1052 5/1/79 Hayakawa et al. Judiciary

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

S. 1339 6/13/79 Stone Rules and Administration

"Senate Campaign Contribution Reduction Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIBIGLE FOR MATCHING FUNDS:
- Certifies to Federal Election Commission (FEC):
    1. Candidate is the nominee of a major party for U.S. Senate
    2. Candidate received at least twenty-five percent of total votes cast in either of the two most recent general elections for U.S. Senate in same state as is now a candidate, or
    3. Candidate is seeking election and has accepted contributions of not less than ten percent of the contribution threshold
- Agrees with FEC:
    1. To keep and furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by the Commission

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Contribution threshold is designated as $250,000 plus $.10 multiplied by the voting age population of the respective state;
- No payment to be made to any candidate until Commission determines that at least one candidate has accepted contributions in excess of contribution threshold at which time payments to all other eligible candidates in that race will be as follows:
    1. Candidates who have not accepted excess contributions are entitled to an amount equal to the amount by which the candidate who has accepted the greatest amount of contributions exceeds the threshold
    2. Candidates receiving contributions in excess of threshold are entitled to amount equal to ten percent of threshold where another candidate has accepted the greatest amount of contributions by an amount in excess of ten percent of threshold

S. 1339 cont.

3. No candidate will be paid in the aggregate more than fifty percent of the contribution threshold
4. All contributions accepted on behalf of a candidate will be considered to be contributions accepted by the candidate
5. Commission is required to certify eligible candidates to the Secretary from time to time allowing them to be paid amounts due in increments of not less than $10,000

REPORTING REQUIREMENTS:
- Candidates whose contributions exceed threshold are required to notify Commission and all other candidates in same election within forty-eight hours;
- Candidate must file a declaration with the Commission whether he/she intends to accept contributions in excess of the threshold either when he/she qualifies for election or ninety days before election (whichever is earlier);
- Candidates must notify the Commission not later than sixty days before election if there is reason to believe that excess contributions will be accepted unless candidate filed a timely declaration that he/she intended to exceed threshold;

SENATE CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- If Secretary of Treasury determines there are insufficient amounts of money to pay full entitlement to eligible candidates, the Secretary must notify all eligible candidates by registered mail of the pro rata amount which will be available;

CONTROLS AND ENFORCEMENT:
- Commission will conduct examination and audit campaign expenditures of all candidates receiving payments after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 1414 6/26/79 Goldwater Governmental Affairs
ACTION: 8/2/79 - Reported from Comm., S. Rept. 96-303
2/28/80 - Indefinitely postponed

GOVERNMENT EMPLOYEES - CREDIT FOR SERVICE:
- Provides that a congressional employee who is otherwise entitled to a separation annuity and who has been continuously employed by the same member of Congress for six years before the member separated from service as well as six years following the separation, will be entitled to credit for service for period that member was separated under the following conditions:
  1. The member was a candidate of a political party for office of President but not simutaneously a candidate for the Senate or House
  2. Member was not elected to office of President
  3. Employee was continuously employed by former member during entire period of members separation from Congress
  4. Member was not separated from Congress for more than five years

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S. 1700 8/3/79 Kennedy et al. Rules and Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:

- Amends the Federal Election Campaign Act in the following ways:
- Prohibits non-party multicandidate political committees from making contributions to a candidate for the Senate which exceed the following amounts in any calendar year:
    1. $5,000 - general or special election and primary election relating to such general or special election
    2. $7,500 - general or special election and both a primary and a run-off election relating to such general or special election (not more than $5,500 for one election)
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
    1. Worth more than $1,000
    2. For period of more than thirty days after date on which such goods or services are furnished

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S. 1757 9/17/79 Pell Rules and Administration

ACTION: 9/17/79 - Reported from Comm., S. Rept 96-319

12/18/79 - Indefinitely postponed (See H.R. 5010 which was amended by Senate)

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:

1. Contributions
    - The present exemption granted to legal and accounting services contributed to the national committee of a political party is extended to all political party committees;
    - Does not include vendor expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate;
2. Contributions and Expenditures
    - Does not include, among other things, certain residential use costs, volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; the unreimbursed payment by a delegate or candidate for delegate to a convention or caucus of a political party for costs incurred in connection with such activities; funds given by a political party to pay expenses of delegate or candidate for delegate to a political party caucus or convention; expenses of political party incurred in sponsoring a caucus or convention

of the party; certain payments made by political party committees for campaign materials used in volunteer activities (e.g., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), if such payments are made only with funds not designated for a particular candidate; certain payments for costs of voter registration and get-out-the-vote activities of a political party;

3. Expenditure
   - Does not include legal and accounting services contributed to any political party (changed from national committee of a political party);
   - Provides that cancelled checks would be prima facie evidence of an expenditure having been made;
4. Political Committee
   - Exempts from the definition of political committee any state or local committee of a political party which does not receive in a calendar year contributions aggregating more than $5,000;

POLITICAL COMMITTEES:

- Provides that, if candidate for federal office chooses not to designate a committee to serve as principal campaign committee, the Commission must be notified that such individual will not authorize any political committee to receive contributions or make expenditures on his behalf;
- Provides that the principal campaign or authorized committee of a candidate must include the name of candidate in its title (all other political committees for that candidate are prohibited from including name of candidate);
- Provides that candidate will not be liable for the debts of his principal campaign committee;
- Provides that, in order to qualify as a multicandidate committee, a political committee must have made contributions to five or more candidates for federal office in amounts aggregating at least $250 each;
- Provides that, when any Presidential or Vice-Presidential candidate designates the national committee of a political party as his principal campaign committee, all contributions to the political committee of that national committee will be limited to $1,000 per individual and $5,000 per multicandidate political committee;
- Provides that only one of the following methods may be used by a national committee of a political party to make expenditures in connection with a general election campaign of a Presidential candidate of that party up to the greater of $20,000 or $.02 multiplied by the voting age population of that state:
  1) The state committee of a political party make such expenditures; or
  2) The national committee of a political party may designate one political committee in each state which will be authorized to accept contributions and to make expenditures;

REPORTING REQUIREMENTS:

- Requires candidates and their principal campaign committee to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);

S. 1757 cont.

- Raises the threshold above which contributions and expenditures would have to be reported to $200;
- Provides that independent expenditures expressly advocating the election or defeat of a clearly identified candidate need be reported only when expenditure exceeds $250 within a calendar year;

FEDERAL ELECTION COMMISSION:
- Provides that the Commission may employ or appoint counsel without regard to the provisions of Title 5 U.S.C. to appear in and defend against any action instituted under this Act;
- Provides that no candiate for election or for nomination for election to the Senate or the House of Representatives will be audited on a random basis more than once in any election cycle;

MISCELLANEOUS:
- Provides that reports and statements filed with the FEC may not be sold or utilized for the purpose of soliciting contributions but that the name and address of any political committee may be utilized for the purpose of soliciting contributions from such committee;
- Provides that under certain conditions a corporation may approve the solicitation or contributions by trade associations from the stockholders and executive or administrative personnel of the member corporations of such trade associations;
- Provides that a delegate or candidate for delegate to a convention or caucus of a political party which will nominate candidates for federal office will be deemed as a candidate for election to federal office as concerns limitations contributions, expenditures and reporting requirements--requires such delegates report expenses and contributions which exceed $2,500 (exclusive of travel and subsistence);

S. 1758 9/17/79 Levin et al. Governmental Affairs

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENTAL EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends Title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Service or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;

S. 1758 cont.

- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

S. 2074 12/4/79 Levin Governmental Affairs

BALLOTS - ABSENTEE:
- Provides that requests for absentee ballots within free of postage envelopes will be made available to the general public by the U.S. Postal Service;
- Provides that the U.S. Postal Service will also make free of postage envelopes available to election agencies to be used by persons requesting absentee ballots;
- Provides that free postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

S. 2272 2/7/80 Weicker Judiciary

"Public Prosecutor Act of 1980"

ETHICS - PUBLIC PROSECUTOR, ESTABLISHING POSITION:
- Establishes the Office of Public Prosecutor and Deputy Public Prosecutor, detailing jurisdiction, powers, and relationship with the Attorney General;
- Includes, among others, the national campaign manager or chairman of any national campaign committee for the election of the President and any officer or employee of the Senate or the House of Representatives designated under the rules of the respective body to handle campaign funds as being within the jurisdiction of the Public Prosecutor with respect to any matter involving the violation of serious federal criminal law;

S. 2325 2/21/80 Helms Rules and Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:

- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions:
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as a condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

S. 2366 2/28/80 Huddleston et al. Governmental Affairs

APPORTIONMENT - CENSUS:

- Provides that methods and procedures be used which will assure that illegal aliens not be counted in the decennial censuses for the following reasons:
  1) To prevent the loss of congressional representation of many states by including illegal aliens in the reapportionment base for the House of Representatives
  2) To prevent the citizens and legal residents of many states from receiving less than their proportionate share of federal assistance programs which are distributed completely or partially on population figures

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S. 2648 5/2/80 Pell Rules and Administration

ACTION: 5/2/80 - Reported from Comm., S. Rept. 96-679
5/9/80 - Passed Senate
5/12/80 - Passed House amended
5/16/80 - Senate agreed to House amendment
5/29/80 - Public Law 96-253

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:

- Authorizes appropriations for the FEC for the fiscal year ending September 1981;

S. 2827 6/12/80 Hollings et al. Commerce, Science and Transportation

"Communications Act Amendments of 1980"

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:

- Provides that equal broadcast time obligations are not imposed on a licensee

S. 2827 cont.

when debates among presidential and vice presidential candidates are broadcast and those debates are arranged by someone other than a broadcast licensee;
- Directs the Federal Communications Commission to prescribe regulations to ensure that a legally qualified candidate for federal office is allowed reasonable access to certain cable television systems;

S. 2905	6/30/80	Domenici	Rules and Administration

CAMPAIGN FINANCING - CONTRIBUTION:
- Amends the Federal Election Campaign Act of 1971 to include the value of services provided by professional entertainers within the definition of "contribution";

S. 3031	6/12/80	Levin	Governmental Affairs

"Federal Employees' Political Activities Act of 1979"

GOVERNMENTAL EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends Title 5 U.S.C. removing present prohibitions barring Federal and D.C. employees from taking an active part in political campaigns, except for U.S. Postal Service or Postal Rate Commission employees and certain employees in restricted positions (as designated by the Office of Personnel Management), including employees involved with: foreign intelligence or security, law enforcement, contract or grant administration;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees over whom they are superior;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients of or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the office of Personnel Management;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office and requires agency to give employee leave without pay or accrued annual leave upon request of the employee;

S. 3031 cont.

- Provides for the Merit Systems Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Office of Personnel Management and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Office of Personnel Management to study and review the effects of this amendment and report findings to Congress;

S.J. Res. 33 2/5/79 Hatfield et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate to directly initiate or repeal laws passed by Congress, through petition and ballot;
- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by three percent of electorate in at least ten states; the total number of signatures must total three percent of the nation's electorate;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of two-thirds of the members of the House and Senate;

S.J. Res. 189 6/27/80 Stevenson et al. Rules and Administration

"Commission on Presidential Nominations Resolution"

PRESIDENTIAL AND VICE PRESIDENTIAL - NOMINATIONS:
- Establishes a twenty member "Commission on Presidential Nominations" to be appointed as follows:
    1. Six members appointed by the president pro tem of the Senate (recommended by the majority and minority leaders with at least two of these members to be Members of the Senate and two to be state officials)
    2. Six members appointed by the speaker of the House of Representatives (at least two of these members to be Members of the House and two to be state officials
    3. Six members appointed by the President
    4. Chairman of the two national political parties to serve as ex officio members
- Provides that the Commission will investigate the following areas:
    1. Presidential primaries and caucuses for the selection of delegates to national political party conventions which are conducted by individual states

S.J. Res. 189 cont.

2. State laws and rules of national political parties which govern the participation of voters and candidates in primaries and causcuses
3. Campaign financing for the nomination of presidential candidates
4. The relationship between presidential candidates and the news media (how public recognition is achieved and the plausibility of guaranteed TV access)
5. Alternative nominating systems including a national or regional primary system
6. The manner in which vice presidential candidates are selected
7. The extent to which state laws and the Federal Election Campaign Act of 1971 promote or retard independent presidential candidates

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S. Res. 236 9/18/79 Hatfield et al.

CANDIDATES - DEBATES - FUNDING:

- Provides that Senate disapproves of regulations proposed by the Federal Election Commission relating to the funding and sponsorship of candidate debates;

S. Res. 378 2/27/80 Pell Rules and Administration
ACTION: 2/27/80 - Reported from Comm., S. Rept. 96-595

CANDIDATES - CAMPAIGN INFORMATION:

- Provides that a compilation of materials of Senate campaign information, including federal and state laws governing election to the U.S. Senate entitled "Senate Election Law Guidebook - 1980," be printed as a Senate document;

H.R. 1 1/15/79 Mikva et al. House Administration
ACTION: 3/15, 20, 21, 22 & 27 - Hearings before full committee

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within forty-eight hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
    1. To furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by the Commission
    3. To receive only contributions approved of in 2 U.S.C. sec. 441a
    4. To expend not more than $150,000 in campaign
    5. To expend not more than $25,000 of personal funds or funds of any member of the immediate family in the campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan, subscription, advance, deposit or contributions of products or services shall not be taken into account;
- Contributions received from any entity other than an individual shall not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before January 1 of a general election year or after date of the election shall not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;
- Additional matching payments not exceeding forty percent of $150,000 (expenditure limitation) to be paid in increments of $10,000;
- At least two candidates have qualified for the election ballot in the state;
- Non-state contributions will not be matched if such contributions exceed twenty percent of aggregate matchable contributions;
- Aggregate payments to all candidates in an election shall not exceed three times the maximum amount payable in matching funds;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

H.R. 1 cont.

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditures for the opposing candidate is removed and he is eligible to receive additional matching funds;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission shall suspend the limitation on expenditures;
- One campaign mailing allowed which is not included when totaling expenditures at least two weeks prior to election not exceeding ten percent or $150,000;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in account;

CONTROLS AND ENFORCEMENT:
- After each general election the Commission will audit ten percent of randomly selected eligible candidates;
- If four Commission members vote that a reason exists for believing that violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit shall be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 69	1/15/79	Bennett	House Administration

CANDIDATES - EXPENDITURES:
- Requires sufficient funds be maintained in candidate or political committee checking account to cover all expenditures at the time the expenses occur;
- No person may provide services or goods to a candidate or political committee prior to payment by the receiver;

H.R. 72	1/15/79	O'Brien	House Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Requires efforts be made to locate polling and registration places for federal elections readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by elevator;
- Requires filing of report with Attorney General sixty days before election or close of registration when standards prescribed not met;
- States having established equivalent building standards not required to comply;

H.R. 72 cont.

- Alternative methods of voting provided when standards prescribed not met: 1) selection of alternative polling place within same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing right to vote;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) individual must be allowed to select another individual to accompany him to the polls or braille ballots must be available; or 3) any other alternative method guaranteeing the right to vote;
- Attorney General may institute in name of U.S. any action in U.S. district court which will assure implementation of this Act;

H.R. 125 1/15/79 Bennett House Administration

"Regional Presidential Primaries Act of 1979"

PRIMARIES - PRESIDENTIAL - REGIONAL:
- Establishes six regional Presidential preference primaries beginning in March and ending in June;
- Voters may vote only for the candidates of voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- Ballots to select convention delegates must indicate name of party candidate;
- In order to receive matching payments of public funds for primary campaign, candidate must agree to appear on ballot of at least one state in each of six regions;

H.R. 319 1/15/79 Fish House Administration

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Substantially the same as H.R. 72 except it does not specifically mention providing braille ballots for those unable to operate the voting machine;

H.R. 364 1/15/79 Gradison Post Office and Civil Service

FRANKING PRIVILEGE:
- Prohibits any mass franked mailings by a Senate or House Member sixty days before a primary for the public office held by the member (regardless of whether the member participates in the primary) or 120 days before a general or special election in which the member is a candidate;

H.R. 496 1/15/79 Howard House Administration

"House of Representatives Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants not later than ten days after application;
  1. That campaign expenditures will not exceed $100,000
  2. That candidate has qualified to have name on election ballot
  3. That the aggregate of contributions toward campaign exceed $10,000; the aggregate of individual contributions within $10,000 total does not exceed $100
- Agrees with FEC:
  1. To obtain and furnish evidence requested by FEC pertaining to campaign expenses
  2. To keep and furnish to FEC records of date and amount of contribution, full name and address of contributors
  3. Agree to audit by FEC and abide by decisions which may result including reimbursement of matching payments made through error or fraud
  4. That the aggregate of candidates' personal funds expended in campaign does not exceed $10,000

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Equal to amount of each contribution except:
  1. Contributions received from individuals which exceed $100
  2. Any personal funds of candidate used in campaign
  3. Total amounts of payments cannot exceed $50,000 for individual candidate
  4. The aggregate amount of payments to all candidates in one campaign for an elective office cannot exceed $100,000
- Contributions received before January 1 of a general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- At least two candidates have qualified for the election ballot in state;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs and loans incurred for the election for which they were received;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If any candidate exceeds the expenditure limits set in this bill, the FEC will notify the opposing candidates for that office of the inapplicability of the expenditure limitation for the remainder of the campaign for all candidates for that office;

HOUSE OF REPRESENTATIVES ELECTION PAYMENT ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

H.R. 496 cont.

- Secretary notifies FEC by June 1 in biennial general election year amount to be available in Account;
- FEC will transmit to the Secretary by July 1 a formula for prorating payments to candidates if amount in Account will not be sufficient;

CONTROLS AND ENFORCEMENT:
- After each general election the FEC will conduct an audit of campaign contributions raised to obtain matching funds;
- Provides for participation by the FEC in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 548 1/15/79 McCloskey Judiciary

"Voting Rights Act Repealer Amendments Act of 1978"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude language minority groups;

H.R. 564 1/15/79 Mazzoli House Administration

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within forty-eight hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
  1. To furnish them with campaign records (contributions and expenditures)
  2. To cooperate in any audit conducted by Commission
  3. To receive only contributions approved of in 2 U.S.C. sec. 441a

  ** 4. To expend not more than $125,000 in campaign
  5. To expend not more than $25,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before January 1 of general election year or after date of election will not be taken into account;

H.R. 564 cont.

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;

** - Not more than five matching payments of $10,000 each;
- At least two candidates have qualified for the election ballot in state;
- Non-state contributions will not be matched if such contributions exceed twenty percent of aggregate matchable contributions;

** - Aggregate payments to all candidates in an election must not exceed $150,000;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:

** - If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditure for the opposing candidate is removed and he is eligible to receive not more than five additional matching payments of $10,000 each;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission will suspend the limitation on expenditures;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in Account;

CONTROLS AND ENFORCEMENT:

** - After each general election the Commission will audit randomly selected campaign accounts;
- If four Commission members vote that a reason exists to believe violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit will be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

** Indicates where this bill differs from H.R. 1

H.R. 1169	1/22/79	Ashbrook	House Administration

"National Primary Election Act of 1979"

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES - REGIONAL:
- Requires state primaries for Presidential and Vice Presidential candidates to be held on the second Tuesday in March, April, May or June of every Presidential election year;
- Allows political party to be eligible for separate ballot in primary if party's candidate received ten percent of total number of votes cast throughout U.S. in last Presidential election;

H.R. 1169 cont.

- Stipulates candidates qualify only for primary of party of registered affiliation;
- Requires Federal Election Commission to announce publicly tentative list of potential candidates for Presidential nomination of party of affiliation--persons may request admittance or reject inclusion on list;
- Alternative method for gaining admittance on primary ballot is outlined;
- Candidates receiving ten percent or more of total vote cast in a state primary will be allocated delegate votes on first ballot at national nominating convention of affiliated party;

H.R. 1294	1/23/79	Drinan	Interstate and Foreign Commerce

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:
- Repeals following sections of Communications Act of 1934:
  (1) Section requiring broadcasting stations to permit legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy
  (2) Section requiring broadcasting stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time
  (3) Section prohibiting political editorials by broadcast stations

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H.R. 1466	1/24/79	Young	House Administration

CANDIDATES - FEDERAL, PRESENT PUBLIC OFFICE RESIGNATION REQUIRED:
- Requires any candidate for a federal elective office to resign any elective public office (federal or state) held, the term of which ends after the beginning of the term of the federal office which such candidate seeks;
- Declares such resignation to be effective as of the beginning of term of office which candidate seeks, and is irrevocable;

H.R. 1516	1/25/79	Leach et al.	Judiciary

CONGRESSIONAL DISTRICTS - APPORTIONMENT:
- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. sec. 2a) as follows:
- Provides that the legislature of any state may establish by law criteria to meet following standards of apportionment:
  1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than two percent from the quotient obtained by dividing population of state by the number of Representatives entitled

H.R. 1516 cont.

2. Boundaries of each district will, as much as possible, coincide with boundaries of local political subdivisions
3. Each district will be composed of convenient contiguous territory and will be compact
4. Boundaries may not be drawn to favor a political party, incumbent or other individual nor to dilute the voting strength of any language or racial minority group

- Specifies that this Act will not supersede any section of Voters' Rights Act of 1965;
- Specifies that U.S. district courts will have exclusive jurisdiction; appeals must be filed within thirty days after decisions and Supreme Court will hear appeals as soon as practicable;
- Provides that nine months from date a district is established any person meeting qualification of a voter in that district can challenge the apportionment in the district court of that jurisdiction;

H.R. 1783	2/1/79	Erdahl	House Administration

CANDIDATES - FILING REPORTS:
- Amends Federal Election Campaign Act of 1971 waiving the filing of certain quarterly reports with the Federal Election Commission;

H.R. 1904	2/8/79	Applegate	House Administration

"National Presidential Direct Primary Elections of 1979"

DAY FOR HOLDING ELECTIONS:
- Requires that direct Presidential primary elections be held throughout the United States on the first Tuesday after the first Monday in May of each Presidential election year;

H.R. 1951	2/8/79	Forsythe	House Administration, Post Office and Civil Service

ADVERTISING AND SOLICITATION - THIRD-CLASS MAILING:
- Amends Federal Election Campaign Act of 1971;
- Allows federal office candidates in general election to mail campaign materials at reduced third-class mailing rates;
- Third-class mailing may begin on date candidate is nominated or qualifies and end on election date;
- Mailing must be made to addresses located in the geographical area involved in election;

H.R. 1951 cont.

- Allows only one clearly identified candidate per mailing;
- Authorizes appropriations to the U.S. Postal Service equal to difference between revenues received under normal campaign mailing rates;

H.R. 1976	2/8/79	Lent	Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Amends title 39 U.S.C. providing third-class postage rates for qualified county political committees be identical to third-class postage rates of qualified nonprofit organizations;

H.R. 2220	2/15/79	Pease	Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Lowers tax credit for political contributions to Congressional candidates from $25 ($50 joint) to $10 ($20 joint);

H.R. 2221	2/15/79	Pease	House Administration, Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Identical to a combination of H.R. 1 and H.R. 2220 respectively;

H.R. 2340	2/22/79	Glickman	Banking, Finance and Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:
- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

H.R. 2357	2/22/79	Stratton	House Administration

"Free Political Broadcasting Act of 1979"

ADVERTISING AND SOLICITATION - FREE POLITICAL BROADCASTING TIME:
- Provides free radio and television time to eligible candidates for election to Federal office who are of a major party, third party, or minor party and are properly certified;

H.R. 2357 cont.

- Each eligible candidate shall receive free broadcast time as follows:
    1. Presidential or Vice Presidential candidate of major party--two and one-half hours; of third party--one hour; and of minor party--thirty minutes, with no more than thirty minutes to be used in any five-day period
    2. Candidate for Senate of major party--two hours; of third party--sixty minutes; and of minor party--thirty minutes, with no more than thirty minutes to be used in any five-day period
    3. Candidate for Representative or Resident Commissioner of major party --one hour, no more than thirty minutes to be used in any ten-day period; and of third party or minor party--fifteen minutes, total not to be used in any ten-day period
- Candidate of third or minor party who is an incumbent shall receive the amount of free broadcast time allotted to a major party candidate;
- Free broadcast time shall be used to promote rational discussion and debate of election issues, no more than twenty-five percent used to present other than candidate's own remarks;
- No less than one minute of free time shall be used in one program, and no more than fifteen minutes of free time in any twenty-four hour period;
- Free broadcast time will be available from thirty days before the election until the close of the day before the election, seventy-five percent made available during prime air time;

H.R. 2400 2/26/79 Clay Post Office and Civil Service

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Service or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any persons whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;

H.R. 2400 cont.

- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

H.R. 2401 2/26/79 Clay Post Office and Civil Service

"Federal Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends title 5 U.S.C. removing present prohibitions barring Federal and D.C. employees from taking an active part in political campaigns, except for U.S. Postal Service or Postal Rate Commission employees and certain employees in restricted positions (as designated by the Office of Personnel Management), including employees involved with: foreign intelligence or security, law enforcement, contract or grant administration;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Office of Personnel Management;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office and agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit Systems Protection Board to impose penalties (suspension or removal) for violation of this Act;

H.R. 2401 cont.

- Provides for the Office of Personnel Management and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Office of Personnel Management to study and review the effects of this amendment and report findings to Congress;

H.R. 2653 3/6/79 Hanley Judiciary

"Congressional Districting Act of 1979"

CONGRESSIONAL DISTRICTS - APPORTIONMENT:
- Amends apportionment of Representatives in Congress (2 U.S.C. sec. 2a) as follows:
- Number of Congressional Districts to which each state is entitled will be established by an appointed redistricting commission--each district electing one representative;
- Redistricting commission will consist of five members--none may be officers of federal, state or local government;
- Each of the following will appoint one commission member where a partisan bicameral legislature is in effect in the state: 1) president of senate, 2) speaker of the house, 3) minority leader of senate, and 4) minority leader of the house;
- When nonpartisan bicameral legislature is in effect in the state, leader of each house will appoint two members of commission;
- When unicameral legislature is in effect, leader of legislature will appoint four members of commission after consulting with leaders of political parties in the state;
- The four members appointed by one of these methods will select a fifth member to be chairman, by affirmative vote of at least three members;
- Commission will conduct public hearings on preparation of planned boundaries and submit plan to Federal Election Commission (FEC), which will publish the plan in the Federal Register. Plan becomes effective forty-five days after publication;
- Determination of boundaries cannot be made to minimize voting strength of any racial, ethnic, economic group or to favor any political party;
- Districts must be composed of contiguous territory;
- Boundaries of each district must coincide with boundaries of local political subdivision;
- District courts of the United States shall have exclusive jurisdiction to hear and determine any action which shall be heard by a three-judge court with an appeal to the Supreme Court where such cases will have priority on the docket;
- The FEC will administer and distribute to each state funds needed to carry out apportionment;

H.R. 2769 3/8/79 Thomas Judiciary

"Voting Rights Act Repealer Amendments Act of 1979"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

H.R. 2849 3/13/79 Maguire et al. House Administration

"Congressional Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING - CONGRESSIONAL CAMPAIGNS:
- Congressional Election Payment Account established in the Presidential Election Campaign Fund for the payment of qualified campaign expenses incurred by Congressional candidates in primary and general election campaigns;
- To be eligible to receive payments, at least two candidates must qualify for the ballot, candidate must make certain agreements regarding record keeping, auditing and expenditure limitations, and candidate is required to have received the following minimum contributions:
  1. House: $7,500
  2. Senate: (dollar amounts not included in bill)
- Entitlements: Eligible candidates entitled to matching payments equal to amount of contributions from residents of State in which election is held;
- Candidate who is not political party candidate will not be entitled to receive matching payments for primary campaign after the date of the last primary election held by a political party to nominate a candidate for the same office;
- In order to count toward threshold amount of minimum contributions or to be matched, contribution must be made during the calendar year of the election or the year immediately preceding;
- The total amount of public funds which a candidate may receive may not exceed fifty percent of his expenditure limitation;
- No contribution will be counted toward minimum or will be matched to the extent that it exceeds $100 per contributor;
- FEC must certify all payments and determinations are subject to judicial review;
- If funds in Account are insufficient to pay full entitlement of all candidates, they will receive a pro rata share;
- Criminal penalties prescribed for excess campaign expenditures, unlawful use of payments, false statements to FEC, kickbacks or making illegal payments;

EXPENDITURE LIMITATIONS:
- Candidates receiving public funds must agree to the following expenditure limitations:
  1. Senate:
     a. Primary (dollar amounts not included in bill)
     b. General Election (dollar amounts not included in bill)

2. House: $125,000 in a primary or general election
- Candidate who does not receive public funds and is not subject to limitations must report to FEC within forty-eight hours after first making expenditures in excess of the limitations applicable to candidates receiving public funding;
- When candidate reports to FEC that he has exceeded expenditure limitations, no other candidate in race will be subject to limitations, regardless of whether or not public funds are accepted;
- In addition to candidate's expenditure limitation, political party may expend certain amounts on general election campaign (See 2 U.S.C. sec. 441a(d));

H.R. 3114 3/20/79 Pease House Administration
Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Similar to H.R. 2221 except that it allows taxpayers to file tax credit under sec. 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3430 4/4/79 * Jeffords House Administration

HONORARIA - LIMITATIONS:
- Amends the Federal Election Campaign Act of 1971 to prohibit members of Congress from accepting any honorarium (including paid or reimbursed expenses) in excess of $500;

H.R. 3438 4/4/79 McClory Judiciary

VOTING RIGHTS ACT - LIMIT:
- Identical to H.R. 2769;

H.R. 3534 4/9/79 Pease House Administration
Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Similar to H.R. 2220 except that it allows taxpayers to file tax credit under sec. 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3834 5/1/79 Jacobs House Administration

"Vendor Payment Act"

CAMPAIGN FINANCING - PUBLIC FINANCING - ADVERTISING:
- Provides for public financing of advertising and related expenses for candidates for election to the House of Representatives;

CANDIDATE ELIGIBLE FOR CAMPAIGN ALLOTMENT:
- Requires arranging in advance advertisement for the various media and installation of telephone equipment if question-and-answer format is used and submitting schedule to Federal Election Commission (FEC) not later than ten days before election;
- Certify to FEC that other expenditures (from personal, family or campaign contributions) will not be used for advertisements or telephone installation;
- Agrees to furnish FEC with a separate listing for television, radio and newspaper allotment specifying date and time or amount of space used, name of station or newspaper, and name of company installing telephones;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO FOLLOWING CAMPAIGN ALLOTMENTS:
- Television time--one and one-half hour (each segment at least five minutes long);
- Radio time--135 minutes (each segment at least five minutes long);
- Newspaper advertising--126 column inches or one page, whichever is greater, (no individual advertisement can be less than ten column inches) or costs incurred by telephone installation for question-and-answer format;
- FEC will transmit to Secretary of Treasury a formula for prorating payments to all candidates if amount appropriated will not be sufficient to cover applications, candidates and media affected will be promptly notified of revision;

PARTICIPATING MEDIA COOPERATION SPECIFIED AS FOLLOWS:
- Requires media used to submit report of charges to Commission not later than ten days before election; Commission will notify media upon certification by Secretary that payment will be made not later than thirty days;
- Provides that, if Commission fails to certify charge, candidate and media involved will be allowed ten days to submit amended schedules and reports;

H.R. 3913 5/3/79 Sensenbrenner House Administration

FEDERAL ELECTION COMMISSION:
- Amends Federal Election Campaign Act of 1971 extending the period of limitations applicable to prosecutions from three to five years;

H.R. 4212 5/23/79 Ottinger House Administration

"Regional Presidential Primaries Act of 1979"

H.R. 4212 cont.

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:
- Establishes five regional Presidential primary election districts and sets dates for primary elections to be held in such districts for the purpose of electing delegates to the national political conventions;
- Candidates certified by the FEC to receive public financing for their primary campaigns must be placed on the ballot; in addition, candidates may have their names placed on the ballot of any state participating in the primary if they present a petition signed by at least one percent of persons registered to vote in the state;
- Voter eligible to vote only for delegates for a candidate for nomination by party of voter's registered affiliation;
- Delegates must vote for nomination of candidate for whom he or she was appointed until two ballots have been taken, or such candidate receives less than twenty percent of vote on a ballot or until such candidate releases such delegate;
- Directs Federal Election Commission to reimburse each state for costs of conducting a regional primary under this Act;
- Directs the Commission to report to the Congress and the President on steps it has taken to carry out such regional primary system;
- Declares that this Act shall supersede and preempt state laws relating to the nomination of any Presidential candidate;

H.R. 4244 5/30/79 Burton House Administration

QUALIFICATIONS TO VOTE - AGE:
- Grants citizens who will be eighteen years of age or older on the date of the related general or special election the right to vote in any primary or runoff election for federal office;

H.R. 4339 6/6/79 Glickman Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Repeals third-class postal rates authorized for political committees;

H.R. 4412 6/11/79 Stack House Administration

BALLOTS - SAMPLE:
- Requires U.S. Postal Service to furnish free of charge facilities, equipment and manpower to all political subdivisions for the mailing and delivery of sample ballots and sample ballot card information;
- Requires that sample ballots and information be mailed to each registered voter no less than five nor more than ten days prior to a general election;

H.R. 4412 cont.

- Requires cost of preparation for designating specific candidates for office as well as directions and instructions for the operation and usage of specific types of voting equipment to be borne by respective states or political subdivisions;
- Designates that Federal Election Commission will monitor violations of this Act;

H.R. 4759 7/12/79 Bonker Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4768 7/12/79 Minish House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - MULTICANDIDATE POLITICAL COMMITTEE:
- Amends Federal Election Campaign Act of 1971 reducing contribution allowed to a candidate by multicandidate political Committee from $5,000 per candidate to $1,000 per candidate;

H.R. 4773 7/12/79 Tauke Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency and vice versa of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4843 7/18/79 Corcoran Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to the state

or local election authority and vice versa of absentee ballots in any federal election;

- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4970 7/26/79 Obey et al. House Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:

- Amends the Federal Election Campaign Act in the following ways:
- Prohibits nonparty multicandidate political committees from making contributions to a candidate for House of Representatives which exceed the following amounts in any calendar year:
    1. $5,000 - general or special election and primary election relating to such general or special election
    2. $7,500 - general or special election and both a primary and a runoff election relating to such general or special election (not more than $5,000 for one election)
- Prohibits candidates for House of Representatives from accepting contributions from other than committees of a political party which exceed $50,000 in any calendar year except:
    1. May accept contributions from other political committees aggregating not more than $50,000 with respect to general or special election and any primary election relating to such general or special election
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
    1. Worth more than $1,000
    2. For period of more than thirty days after date on which such goods or services are furnished

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H.R. 5010 7/30/79 Thompson et al. House Administration

ACTION: 9/7/79 - Reported from House Administration Comm. (H. Rept. 96-422)
9/10/79 - Passed House
12/18/79 - Passed Senate amended
12/20/79 - House agreed to Senate Amendment
1/8/80 - Public Law 96-187

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:

1. Candidate
    - Adds that person is deemed to seek nomination for election if such

individual receives or consents to allow another to receive contributions or make expenditures in excess of $5,000;

2. Political Committee
   - Among other things includes local committee of political party which receives contributions in excess of or makes payments exempted from definition of expenditure aggregating in excess of $5,000 per calendar year or makes contributions or expenditures aggregating in excess of $1,000 per calendar year;
3. Contribution
   a. Includes gift, subscription, loan, advance of money and payment by any person for personal services of another person rendered to a political committee without charge
   b. Does not include, among other things, certain residential use costs, (including church or community rooms), vendor and volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; certain loans made by national or state banks, federal savings and loan institutions, credit unions or any institution whose deposits are insured by FDIC; certain legal and accounting services rendered to political party committees; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), including such materials which refer to any other candidate; certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
4. Expenditure
   a. Includes purchase, payment, distribution, loan, advance, deposit or gift of money and also means a written contract, promise, or agreement to make an expenditure
   b. Does not include, among other things, news story, nonpartisan register to vote activity, any communication by certain membership organization or corporation to its members, stockholders, executive or administrative personnel, except certain communications expressly advocating the election or defeat of candidate if costs exceed $2,000 for any election; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising); certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
5. Person
   - Includes individual, partnership, committee, association, corporation, labor organization, but does not include federal government;

H.R. 5010 cont.

POLITICAL COMMITTEES:
- Requires that the treasurer be appointed prohibiting committees from making expenditures or receiving contributions when there is vacancy in that office;
- Requires contributions to authorized political committees and contributions to all committees of $50 or more be forwarded to treasurer no later than ten days after receiving; contributions of $50 or less to other political committees must be forwarded no later than thirty days;
- Specifies recordkeeping duties of treasurer to include, among other things, the name and address of contributors of $50 or more and identification of persons contributing, in the aggregate, $200 or more per calendar year; identification of any political committee making contribution; name and address of persons to whom expenditures are made (receipt, invoice or cancelled check required for disbursements in excess of $200); requires all such records be preserved for three years;
- Specifies all funds of a political committee must not be commingled with the personal funds of any individual;
- Requires that candidates designate principal campaign committee within fifteen days of becoming candidate;
- Stipulates that additional authorized committees may be designated but that such committee can support only one candidate except where presidential candidate may designate national committee of political party (the national committee must maintain separate "principal campaign committee" book of accounts) and where other candidates may designate a committee established solely for purpose of joint fundraising;
- Authorized committee must include in its name the name of authorizing candidate;
- Requires designation of one or more state banks or certain other banking facilities as a campaign depository - disbursements to be made by check drawn on required checking accounts of political committee;
- Outlines information to be included in statement of a political committee which must be filed within ten days of such designation;

REPORTING REQUIREMENTS:
- Requires candidates and their principal campaign committees to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);
- Requires persons who make independent expenditures of $250 or more during a calendar year advocating the election or defeat of a candidate, must file a statement;
- Allows political committees to submit ten pseudonym contributor names in order to protect against illegal use of names and addresses of contributors - committees must submit a separate list identifying fictitious names to Commission; these separate lists would not be made public;

H.R. 5010 cont.

- Allows non-candidate committees to file with appropriate Secretary of State only that portion of their disclosure report applicable to candidates seeking election in that state;

FEDERAL ELECTION COMMISSION:

- Outlines procedures and qualifications necessary for appointment to FEC requiring among other things that such members liquidate or terminate any other business, vocation or employment ninety days after appointment;
- Provides that the Commission may employ or appoint counsel to appear in and defend against any action instituted under the Act without regard to the provisions of Title 5 U.S.C.
- Details powers of the Commission including rendering advisory opinions to any person submitting certain written requests no later than sixty days after request is received or no later than twenty days if opinion is requested by a candidate or authorized committee of candidate during sixty-day period before any election for federal office;
- Provides that FEC "Clearinghouse" compile information and review procedures regarding the administration of federal elections--allows contracts to fulfill this objective to be entered into;
- Provides that FEC is to have exclusive jurisdiction for civil enforcement of campaign laws;
- Provides that those who act upon advisory opinions that they have requested or those whose circumstances are indistinguishable from opinions previously rendered may rely upon the opinions and not be subject to any sanction provided by this Act;

ENFORCEMENT:

- Provides that, prior to conducting an audit of any political committee, an internal review of reports of selected committees to determine if threshold requirements have been met as well an affirmative vote of four Commission members must occur; audit must occur within thirty days of such vote within six months of the election for which committee is authorized;
- Requires Commission to notify any person alleged to have committed a violation of this Act within five days after Commission has received written, signed, sworn to and notarized complaint of such allegation; such person will have fifteen days to demonstrate, in writing, that no action should be taken against him;
- Requires affirmative vote of four members of the Commission that there is probable cause to believe a violation has occurred or is about to occur before Commission may attempt, for at least thirty days and not more than ninety days, to enter into a conciliation agreement;
- Allows one hundred twenty day time period during which a complainant may seek court action because the FEC failed to act on his complaint;
- Provides that court action promulgated under this title will be put ahead of actions on the docket of the court in which it is filed;

CONTRIBUTIONS BY FEDERAL EMPLOYEES:

- Provides that solicitations of political contributions by candidates for Congress, members of Congress or any federal employee from any officer or employee of the federal government is prohibited;
- Provides that any officer or employee of the federal government may make voluntary contributions provided that the recipient of the contribution is not the employer or employing authority of the person making the contribution;

H.R. 5010 cont.

- Prohibition against soliciting or receiving contributions in a federal building would not apply to contributions received by mail so long as the contribution was not solicited in a federal room or building and is forwarded within seven days to a campaign committee;

MISCELLANEOUS:

- Provides that contributions received by a candidate in excess of amount needed to defray expenditures may not be converted to any personal use by any person who is not a Senator or Representative at the time this amendment is passed but may be used in the following ways:
  1) To defray necessary expenses incurred with duties as a federal office holder
  2) Contributed to certain organizations specified in sec. 170(c) of the Internal Revenue Code
  3) Used for any other lawful purpose including transfers without limitations to any national, state or local committee of any political party
- Stipulates that any communication through any broadcasting station, newspaper, direct mail or other type of general public political advertising expressly advocating the election or defeat of a clearly identified candidate must clearly state the name of person paying for the communication and whether or not it is authorized by the candidate or candidate's authorized committee;
- Raises from $2,000,000 to $3,000,000 the amount that each major political party may receive from the Presidential income tax check-off fund to operate its Presidential nominating convention;

H.R. 5081 8/2/79 Erlenborn House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Prohibits political committees other than national, state or local political party committees which are established by a national political party from making contributions to any candidate;

H.R. 5377 9/24/79 Rhodes et al. House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends Federal Election Campaign Act of 1971 changing the definition of "contribution" to include the value of volunteer services on behalf of a candidate or political committee unless such services are under the auspices of a corporation, labor organization, or any of their committees;

H.R. 5478 9/28/79 Ritter House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends the Federal Election Campaign Act of 1971 changing the amount of an individual contribution which must be included in the campaign reports of a candidate who is not an incumbent and who is a candidate for the office of Representative

H.R. 5478 cont.

from more than $100 to more than $500;

H.R. 5529 10/10/79 Spellman Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referendum conducted under authority of an election agency;
- Provides that any voting instruction, sample ballot, absentee ballot and envelope and registration application sent by election agency to voter and any registration application returned by individual to an election agency qualifies for third-class postage rates;
- Provides that free postage and third-class postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955, the Overseas Citizens Voting Assistance Act of 1955 or the Overseas Citizens Voting Rignts Act of 1975;

H.R. 5564 10/12/79 Emery et al. House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends Federal Elections Campaign Act of 1971 providing that no person will make contributions exceeding $1,000 to a political committee advocating the election to federal office of any specific individual who is not a candidate for such office;

H.R. 5568 10/12/79 McDonald House Administration

FEDERAL ELECTION COMMISSION:
- Provides that Federal Election Commission be abolished, that all past decisions or regulations made by Commission will have no effect and that all functions, activities, powers and duties of Commission not be transferred to any other establishment of government;

H.R. 5824 11/7/79 Rose Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - PROHIBITS BROADCASTING OF HOUSE PROCEEDINGS:
- Amends the Communications Act of 1934 to prohibit transmission of any audio or visual broadcasting or recording of floor proceedings of the House of Represen-

H.R. 5824 cont.

tatives if such transmission is for the purpose of influencing the outcome of any election for public office;
- Transmission prohibition does not apply if a broadcast is considered to be one of the following:
  1) Bona fide newscast
  2) Bona fide news interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including political conventions and activities incidental to such conventions)
- Criminal penalties are specified in the Act;

H.R. 6017	12/4/79	Downey	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Amends the Communications Act of 1934 to provide that the requirements of sec. 315, which relates to equal broadcasting opportunities for political candidates, will not apply to candidates for the offices of President and Vice President;

H.R. 6103	12/11/79	Van Deerlin	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Amends the Communications Act of 1934 to provide that the requirements relating to equal broadcasting opportunities for political candidates will not apply to candidates for the office of President or Vice President who use a broadcasting station without the payment of any charge;
- Provides that the license involved will not have editorial control over the material broadcast in connection with such an appearance except for the following types of programs:
  1) Bona fide newscast
  2) Bona fide interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including any debate between candidates for the office of President or Vice President)

H.R. 6187	12/19/79	Leach	Post Office and Civil Service

ADVERTISING AND SOLICITATION - THRID-CLASS MAILING:
- Repeals special bulk third-class mail rates for political committees;

H.R. 6325 1/29/80 Broomfield House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends the Federal Election Campaign Act of 1971 to exclude from the definition of the term "contributions" donations to a county committee of a political party for construction or purchase of certain office facilities;

H.R. 6345 1/30/80 Jacobs House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contributions;

H.R. 6473 2/11/80 Bereuter House Administration

"Campaign Contributions Utilization Reform Act of 1980"

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting excess campaign contributions to personal use or to defray any ordinary expenses incurred in connection with his or her duties as a holder of federal office;

H.R. 6510 2/13/80 Jenkins Ways and Means

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES:
- Amends the Social Security Act permitting a state to modify its coverage agreement so as to exclude services performed in any year by an election official or election worker if the remuneration paid for such services is less than $300 (instead of $100 as at present)

H.R. 6530 2/19/80 Harris House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contribution;

H.R. 6568 2/21/80 Mathis Armed Services
House Administration

REGISTRATION - AUTOMATIC UNDER MILITARY SELECTIVE SERVICE ACT:
- Provides that the Director of Selective Service will forward to the appropriate local voter registration authorities the name, address and age of any individual who registers under the Military Selective Service Act;

H.R. 6577 2/22/80 Jeffords Post Office, Civil Service and Judiciary

APPORTIONMENT - CENSUS:
- Requires the Secretary of Commerce, in each decennial census, to specify the number of aliens in each state and provides that illegal aliens will not be counted for purposes of the apportionment of Representatives in Congress;

H.R. 6634 2/27/80 Thompson House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends title 18, sec. 603, of the U.S.C., making it unlawful for any person in the employ of the Congress to make a political contribution of money to a Member of Congress if the Congressman serves as the employer or employing authority of such person;
- Prohibits any Congressman or his or her authorized committee to accept knowingly a political contribution of money from such employee;
- Provides that any person violating this section will be fined not more than $1,000 or imprisoned not more than one year, or both;

H.R. 6637 2/27/80 Dickinson House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:
- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions:
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

H.R. 6702 3/4/80 Thompson House Administration

ACTION:
3/6/80 - Reported from Comm., H. Rept. 96-816
3/10/80 - Passed House
3/18/80 - Referred to Senate Rules and Administration Comm.
9/3/80 - Reported from Comm., S. Rept. 96-922
9/9/80 - Passed Senate

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Provides that voluntary political contributions by federal employees are lawful except that it is unlawful for any person in the employ of the Congress to make a political contribution to a Member of Congress if the Congressman serves as the employer or employing authority of such person;
- Provides that any person violating this section will be fined not more than $5,000 or imprisoned not more than three years, or both;

H.R. 6769 3/11/80 Hillis Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:

- Provides that methods and procedures be used which will assure that illegal aliens will not be counted in the decennial censuses for the following reasons:
  1) To prevent the loss of congressional representation of many states by including illegal aliens in the reapportionment base for the House of Representatives
  2) To prevent the citizens and legal residents of many states from receiving less than their proportionate share of federal assistance programs which are distributed completely or partially on population figures

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H.R. 6791 3/12/80 Bonker Post Office and Civil Service

BALLOTS - ABSENTEE:

- Provides for the free use of postage mailing in any federal or state election in the following instances:
  1) For the mailing of post card absentee ballot requests from an individual to an election agency
  2) For the mailing of any absentee ballot sent by the election authority to an individual and vice versa
- Provides that the Postal Service will prepare and make available without charge to all post offices requests for absentee ballots postal cards as well as lists containing the names and addresses of all election agencies and their respective requirements for obtaining absentee ballots;

H.R. 6791 cont.

- Provides that free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 6812 3/13/80 Grassley Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:
- Identical to H.R. 6769;

H.R. 7071 4/16/80 Bennett House Administration

CAMPAIGN FINANCING - REPORTING REQUIREMENTS:
- Provides that all persons required to submit reports to the FEC must report any offset, refund or notice of reporting error relating to such contribution, expenditure, cost or amount not later than two days after the offset, refund or notice of reporting error occurs;
- Requires the FEC to publish each report of an offset, refund or notice of reporting error not later than ten days after the report is received;

H.R. 7281 5/7/80 Thompson et al. House Administration
ACTION: 5/8/80 - Reported from Com., H. Rept. 96-929
5/12/80 - Passed House
5/12/80 - Proceedings vacated. Laid on table
5/12/80 - Passed in lieu, S. 2648 as amended

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC for fiscal year 1981;

H.R. 7316 5/8/80 Tauke House Administration

HONORARIA - LIMITATIONS:
- Provides that no employee of a Member or committee of the House of Representatives may accept any honorarium for any appearance, speech or article which exceeds the following amounts: 1) more than $1,000 (excluding amounts accepted for actual travel and subsistence expenses for the employee and certain other persons); or 2) honorarium aggregating more than fifteen percent of the aggregate salary paid to such person during any calendar year;

H.R. 7501 6/5/80 Davis House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends the Federal Election Campaign Act of 1971 by allowing a membership organization, cooperative, or corporation without capital stock to solicit contributions from "families of members" as well as members;

H.R. 7568 6/12/80 Tauke et al. House Administration

HONORARIA - LIMITATIONS:

- Amends the Federal Election Campaign Act of 1971 to prohibit an employee of a member or committee of the House of Representatives from accepting honorariums aggregating more than $1,000 from any particular person or organization in any calendar year;
- Prohibits certain full-time employees of a Memeber or committee of the House of Representatives from earning outside income in excess of 15% of their aggreate salary;

H.R. 7572 6/12/80 Waxman Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:

- Amends the Communications Act of 1934 providing that any appearance by a qualified candidate in a motion picture film, video tape, or theatrical production will not be subject to equal broadcasting opportunities if the production is primarily for public entertainment and if such appearance relates exclusively to the portrayal of a fictional character;

H.R. 7583 6/13/80 Steed Appropriations

ACTION: 6/13/80 - Reported from Comm., H. Rept. 96-1090
8/20/80 - Passed House
8/22/80 - Referred to Senate Appropriations Comm.

APPORTIONMENT AND REDISTRICTING - CENSUS:

- Provides appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 1981;
- Provides in part as follows:
- Under the provisions of salaries and expenses of the Office of Administration prohibits the use of funds to calculate or transmit under the twentieth decennial census Congressional apportionment data;

H.R. 7583 cont.

- Under the title "Treasury Department Appropriation Act, 1981" provides that none of the funds appropriated will be used to disqualify any politically non-partisian organization from any tax exemption on corporations (26 U.S.C. sec. 501(c)(3)) because that organization publishes or distributes voters' guides relating to any political campaign;
- Under the title "Postal Sevice Appropriation Act, 1981" provides that no funds appropriated will be used for implementing special bulk third-class rates for "qualified political committees" authorized by P.L. 95-593 other than the national, state, or congressional committee of a major or minor party as defined in P.L. 92-187;
- Provides $9,283,000 for expenses necessary to carry out the provisions of the Federal Election Campaign Act Amendments of 1976;

H.R. 7753 7/2/80 Swift House Administration

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:

- Establishes five regional Presidential primary election districts and sets dates for primary elections to be held in such districts for the purpose of electing delegates to the national political conventions;
- Stipulates that not more than sixty percent of each state's delegate allotment may be chosen by such a primary--forty percent of each state's delegates will be elected in a manner determined by the state political party;
- Provides that the ballot for a regional primary must include a provision for an uncommitted candidate--the uncommitted vote must be allotted a certain number of delegates chosen in a manner determined by each state's political party;
- Provides that the following candidates must have their names placed on the regional ballots:
    1. Candidates certified by the FEC to receive public financing for their primary campaigns
    2. Candidates who present a petition signed by at least one percent of the registered voters of the region--no more than twenty-five percent of those signatures coming from any one state
- Provides that a voter is eligible to vote only for a candidate for nominaton by the party of such voter's declared preference;
- Outlines the duties and procedures to be followed by the FEC including reporting requirements to the Congress and the President on steps it has taken to carry out such regional primary system;
- Declares that this Act will supersede and preempt state laws relating to the nomination of any Presidential candidate;

H.R. 7928 8/18/80 Biaggi House Administration

DAY FOR HOLDING PRIMARIES, CONVENTIONS, AND ELECTIONS:

- Amends 2 U.S.C. sec. 25 to provide that election of Representatives to the

Congress in 1982, 1984, 1986 and 1988 will be held on the Sunday after the first Monday in November;
- Amends 3 U.S.C. sec. 1a to provide that appointment of electors of President and Vice President for 1984 and 1988 be made on the Sunday after the first Monday in November;
- Provides that the polling places in elections to determine the electors of President and Vice President in 1984 and 1988 be open from noon until 9:00 p.m. EST.
- Provides that the Federal Election Commission report any effects these amendments have upon the percentages or patterns of voter participation in federal elections;

H.R. 7934	8/18/80	Gephardt	House Administration and Rules

INITIATIVE AND REFERENDUM - VOTER ADVISORY:
- Provides that an advisory referendum identifying no less than one and no more than three issues will be presented to the voters during each general election;
- Establishes a Joint Committee on the National Advisory Referendum to be appointed as follows:
    1. Seven Senate Members--selected in the same manner as Senate committee members; requires that each of the political parties represented in the Senate be reflected in the same proportion among members of the Joint Committee
    2. Seven House of Representative Members--selected in the same manner as House committee members; requires that each of the political parties represented in the House be reflected in the same proportion among members of the Joint Committee
    3. The Vice President, who will participate in a vote only to break a tie vote
- Provides that the Joint Committee will hold public hearings to prepare them to select issues to resolve current policy disputes or more fully develop relevant views in anticipation of such disputes;
- Requires that in each general election year the Joint Committee will report a concurrent resolution to each House of Congress stating what the issues will be in the next advisory referendum;
- Provides that the text of the issues in an approved concurrent resolution be certified by the Joint Committee to the following agencies:
    1. The appropriate state election agencies for inclusion on the ballots in the next general election
    2. To the Congressional Research Service of the Library of Congress (CRS)
- Provides that, if Congress has not acted on the Joint Committee concurrent resolution before 120 days before a general election, the President must, before the ninetieth day before an election, identify and certify to the state election agencies and to CRS appropriate issues for voter consideration;

H.R. 7934 cont.

- Provides that CRS will be responsible for the following services:
    1. Prepare a voters' guide to educate the public on each issue, including appropriate analyses, and a summary of the major arguments for and against each issue
    2. Keep a record available for public inspection of any person who makes a recommendation to CRS in the preparation of the voters' guide
    3. Make reasonable efforts to mail copies of the text of the issues to major newspapers of general circulation and major radio and TV stations and seek the cooperation of major news organizations to publish voluntarily such texts
- Outlines a reviewing technique to be followed by the Joint Committee not later than sixty days after each general election to determine whether there has been a failure to implement the will of the voters within the preceding four years;

H.R. 7966	8/20/80	Campbell	House Administration

PRESIDENTIAL AND VICE PRESIDENTIAL - VACANCIES:
- Provides that, when under the Constitution a President is to be selected by the House of Representatives and a person eligible to be selected dies or is disqualified, that person will be replaced by the person receiving a majority of electoral votes for Vice President from electors who voted for such Presidential candidate who will be eligible for election to the Vice Presidency by the Senate;
- Provides that, when under the Constitution a Vice President is to be selected by the Senate and a person eligible to be selected dies or is disqualified, the candidate will be replaced by a person designated by the person receiving a majority of electoral votes for President from electors who voted for such disqualified person for Vice President;
- Provides that, when under the Constitution a President and a Vice President are to be selected by the House of Representatives and the Senate, respectively, and of the persons who are eligible to be selected both the Presidential and Vice Presidential candidates of one political party die or are disqualified, they will be replaced by persons specified by the national committee of such political party;
- Provides that a person is disqualified if, after voting in the electoral college is completed, such person either refuses to accept the office involved or is determined to be constitutionally ineligible for the office involved;

H.J. Res. 37	1/15/79	Goldwater	Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;

H.J. Res. 37 cont.

- Petition must be signed by eight percent of whole number of state population in at least twenty-six states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Vote of two-thirds of members of each house of Congress can repeal, amend or reenact laws enacted under this amendment without presidential approval;
- Requires majority of votes in three-fourths of states before proposed laws are effective;

H.J. Res. 40	1/15/79	Guyer	Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;
- Petition must be signed by eight percent of whole number of state population in three-fourths of the states;
- Requires majority of votes in three-fourths of states before new laws or repealed proposals are effective;
- Valid petition proposals will be placed on first election ballot for President;
- No law adopted by the people will be subject to Presidential approval, amendment or repeal;
- Congress can act on measures passed by a vote of three-fourths of members of each house of Congress;
- No bill passed by Congress under this article requires Presidential approval;

H.J. Res. 81	1/15/79	Smith	Judiciary

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES:
- Presidential candidates will be chosen by direct popular vote at a primary election to be held in July;
- Candidates must be seeking the nomination of the party of their registered affiliation, and in addition satisfy certain petition requirements; further, the political party must meet certain qualifications;
- Candidate winning forty percent of the votes cast by voters of his own party shall win that party's nomination, but, if no candidate wins forty percent, a run-off will be held;
- After Presidential candidates are elected, each party will choose a Vice Presidential candidate;

H.J. Res. 113 1/18/79 Lagomarsino Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;
- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by three percent of electorate in at least ten states; the total number of signatures must total three percent of the nation's electorate;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years;

H.J. Res. 147 1/23/79 Sawyer Judiciary

REFERENDUM - VOTER INITIATIVE:
- Identical to H.J. Res. 113;

H.J. Res. 190 2/5/79 Hansen Judiciary

DISTRICT OF COLUMBIA - REPRESENTATION IN CONGRESS:
- Proposes amendment to Constitution providing that D.C. and territories of U.S. be treated as though they were states for purposes of representation in the House of Representatives;

H.J. Res. 196 2/8/79 Kemp et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;
- Petitions to enact or repeal laws must be signed by three percent of electorate in at least fifteen states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on election ballot held for members of the House of Representatives at least 120 days after petition signatures have been certified;

H.J. 196 cont.

- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of two-thirds of members of House and Senate;

H.J. Res. 286 4/2/79 Jones et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Substantially the same as H.J. Res. 113 except that it does not specifically outline procedures for repealing laws;

H.J. Res. 557 5/28/80 Solomon Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows the electorate to initiate directly laws through petition and ballot;
- Petition signatures must be collected within an eighteen-month period;
- Petitions must be signed by three percent of the electorate who voted in the last general election in each of one-quarter of the states;
- Valid petition proposals will be placed on the ballot of the next general election for the House of Representatives which occurs at least 120 days after the petition has been certified;
- Provides that each state will have a number of electoral votes equal to the number of Senators and Representatives it is entitled to in the Congress; to be enacted, a proposed law must receive a majority of electoral votes (a proposed law must receive the same proportion of positive electoral votes as it received in the ballots cast)
- Repeal or amendment of such a law within two years following the effective date must receive an affirmative rollcall vote of two-thirds of the Members of each House;

H.J. Res. 579 6/26/80 Udall House Administration

"Presidential Nomination Commission Resolution"

PRESIDENTIAL AND VICE PRESIDENTIAL - NOMINATIONS:
- Establishes a twenty-member "Commission on Presidential Nominations" to be appointed as follows:
    1. Six members appointed by the president pro tem of the Senate (recommended by the majority and minority leaders with at least two of these members to be Members of the Senate and two to be state officials)
    2. Six members appointed by the speaker of the House of Representatives (at least two of these members to be Members of the House and two to be state officials)

H.J. Res. 579 cont.

3. Six members appointed by the president pro tem of the Senate (recommended by the majority and minority leaders with at least two of these members to be Members of the Senate and two to be state officials)
4. Chairman of the two national political parties to serve as ex officio members

- Provides that the Commission will investigate the following areas:
  1. Presidential primaries and caucuses for the selection of delegates to national political party conventions which are conducted by individual states
  2. State laws and rules of national political parties which govern the participation of voters and candidates in primaries and caucuses
  3. Campaign financing for the nomination of presidential candidates
  4. The relationship between presidential candidates and the news media (how public recognition is achieved and the plausibility of guaranteed TV access)
  5. Alternative nominating systems including a national or regional primary system
  6. The manner in which vice presidential candidates are selected
  7. The extent to which state laws and the Federal Election Campaign Act of 1971 promote or retard independent presidential candidates

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H.J. Res. 581 7/1/80 Leach Judiciary

APPORTIONMENT AND REDISTRICTING - CENSUS:
- Provides that the number of Representatives in Congress for each state will be apportioned by counting only those persons in each state who are citizens of the United States;

H.J. Res. 595 8/18/80 Lujan Judiciary

INITIATIVE AND REFERENDUM - CONSTITUTIONAL AMENDMENT RATIFICATION:
- Proposes that each state ratify amendments to the Constitution by popular referendum;

H. Con. Res. 127 5/23/79 Heftel Judiciary

VOTING RIGHTS ACT - IMPROVE COMPLIANCE:
- Sense of Congress to improve performance of Department of Justice in aiding states to comply with Voting Rights Act provisions relating to "language minority" groups;

H. Con. Res. 283 2/22/80 Thompson House Administration
ACTION: 3/5/80 - Reported from Comm., H. Rept. 96-804
3/10/80 - Passed House
3/12/80 - Referred to Senate Rules and Administration Comm.
4/2/80 - Reported from Comm., S. Rept. 96-653
4/15/80 - Passed Senate

CANDIDATES - CAMPAIGN LAWS:
- Provides that an additional 20,000 copies of the "Federal Election Campaign Laws Relating to the United States House of Representatives" be printed as a House document and distributed to the Committee on House Administration and to candidates for the House of Representatives;

H. Con. Res. 412 8/22/80 Evans House Administration

ABSENTEE BALLOTS - HOSTAGES:
- Expresses the sense of Congress that state election officials forward absentee ballots to eligible to vote Americans being held hostage in Iran;

H. Res. 115 2/13/79 Pritchard Rules

CAMPAIGN FINANCING - SOLICITATION:
- Amends House rules to prohibit members from using official congressional stationary to raise funds if such funds are used to affect governmental elections;

H. Res. 594 3/4/80 Clinger Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:
- Provides that for the purpose of apportionment of Representatives in Congress illegal aliens should not be counted in the decennial census;

H. Res. 694 6/3/80 Pritchard House Administration

PRESIDENTIAL AND VICE PRESIDENTIAL - CANDIDATE:
- Resolves that, if the electors do not choose a President in December 1980, the House of Representatives should choose the person who received the greatest number of popular votes in the November 1980 election;

H. Res. 760 8/1/80 Bauman et al. House Administration

PRESIDENTIAL AND VICE PRESIDENTIAL - ELECTORAL COLLEGE ELECTION:

- Provides that, if the House of Representatives is required to choose the President because no candidate receives a majority of the votes cast by the electors of the electoral college, it is the sense of the House that each Member should cast his or her vote in favor of the candidate who receives a majority or plurality of the popular votes cast in the Member's district.

FEDERAL LEGISLATION

SENATE AND HOUSE JOINT RESOLUTIONS INTRODUCED IN THE 96TH CONGRESS DEALING WITH THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT

PRESENT METHOD OF ELECTION - ELECTORAL COLLEGE PLAN

The Constitution provides that the President and Vice President of the United States shall be elected by electors who are appointed in each state in a manner directed by the Legislature of the state. Each state must appoint a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress (art. II, sec. 1). In all states and the District of Columbia, the Presidential electors are elected directly by the people of the state. These electors then convene in their own states as "colleges," known collectively as the "Electoral College" to elect the President and the Vice President. Thus, under present constitutional provisions, the President and the Vice President are not elected by means of a direct popular election, but instead are elected by the Electoral College.

Under the practice followed in all states but one, the people of the state vote for a slate of Presidential electors drawn up by the political parties in that state. The slate of electors winning the majority or plurality of the popular vote in the state would then cast all of the electoral votes of the state in favor of one Presidential candidate. Thus, the winner of the greatest number of popular votes in a state in a Presidential race would be credited with all of that State's electoral votes, rather than only that portion of the electoral votes which reflects the percentage of the popular vote won. The one exception to this general practice is Maine, where an elector is chosen from each Congressional district on the basis of winning the popular vote in that district and two at-large electors are chosen on a statewide basis (Maine Revised Code Annotated, Title 21, sec. 1184 (1-A). This is the district plan, discussed below).

Under the Constitution, Congress has the responsibility for setting the date on which Presidential electors are elected, which date must be uniform throughout the United States, and the date on which they will meet to cast their votes for the President and the Vice President. If, when the votes are cast for President and Vice President, no person receives a majority of the entire number of electoral votes, the House of Representatives shall choose the President from the three persons having the highest number of electoral votes (art. II, sec. 1).

PROPOSED METHODS OF ELECTION

Most measures considered by Congress have proposed a constitutional amendment which would affect a basic reform in the method by which the President and Vice President are elected. These proposals fall into four categories set forth below.

DIRECT ELECTION PLAN

Under the direct election plan, the Electoral College and the electoral vote system would be abolished. Instead, the President and Vice President would be elected by direct popular vote cast throughout the United States. Several proposals now pending in Congress would create a system whereby the President and the Vice President would be elected directly. These proposals are:

S.J. Res. 1	Bayh et al.	1/15/79
S.J. Res. 28	Bayh	1/25/79
H.J. Res. 7	Danielson	1/15/79
H.J. Res. 24	Bennett	1/15/79
H.J. Res. 57	Kastenmeier	1/15/79
H.J. Res. 93	Won Pat	1/15/79
H.J. Res. 150	Conte	1/24/79
H.J. Res. 181	Erdahl	2/1/79
H.J. Res. 189	Edwards	2/5/79
H.J. Res. 208	Fithian	2/15/79
H.J. Res. 240	McClory	3/6/79
H.J. Res. 252	Boner	3/13/79
H.J. Res. 254	Burlison	3/13/79
H.J. Res. 261	Burlison et al.	3/20/79
H.J. Res. 288	Burlison et al.	4/3/79
H.J. Res. 299	Burlison et al.	4/10/79
H.J. Res. 308	Burlison et al.	4/30/79
H.J. Res. 332	Burlison et al.	5/16/79
H.J. Res. 585	Leach	7/2/80
H.J. Res. 591	Studds	7/31/80

These proposals calling for direct election of the President and Vice President vary in their approaches to the following matters:

1. Method of casting vote:
    Cast joint vote for team consisting of candidate for President and candidate for Vice President, both consenting to the joinder of their names -
    All proposals

2. Percentage of vote required to win:
    a. Plurality -
        H.J. Res. 181

    b. 35% -
        H.J. Res. 93, 240

    c. 40% -
        S.J. Res. 1, 28
        H.J. Res. 7, 24, 57, 150, 189, 208, 252, 254, 261, 288, 299
        H.J. Res. 308, 332, 585, 591

3. Required percentage not attained:
   a. Runoff election must be held -
      S.J. Res. 1, 28
      H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 585, 591

   b. Congress decides in special election -
      H.J. Res. 24

4. Place, time, and manner of holding elections and entitlement to inclusion on ballot:
   a. Prescribed by the State Legislatures, but Congress may alter the state laws or the state laws become inapplicable if in conflict with an Act of Congress; however, Congress sets the day for holding elections, which day must be uniform throughout the United States, and Congress governs the method for ascertaining election results -
      S.J. Res. 1, 28
      H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 585, 591

   b. Prescribed by Congress -
      H.J. Res. 24

5. Voter qualifications:
   a. Same as for most numerous branch of state legislature except that state may prescribe less restrictive qualifications and Congress may prescribe uniform residence qualifications -
      S.J. Res. 1, 28
      H.J. Res. 7, 57, 93, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 585, 591

   b. Same as in the case of voters in election of Senators, but state may prescribe less restrictive residence qualifications, and Congress may adopt uniform age and residence requirements -
      H.J. Res. 24

   c. Same as for electors of Members of Congress, but state may prescribe less restrictive residence qualifications and Congress may adopt uniform age and residence requirements -
      H.J. Res. 150

6. In case of death, resignation, inability or withdrawal of a candidate:
   a. Prescribed by Congress -
      S.J. Res. 1, 28
      H.J. Res. 7, 24, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 591

   b. Specifies that if neither candidate is able to serve, the House will choose a President and the Senate will choose a Vice President; if the House is unable to choose a President, a special election for President and Vice President will be held -
      H.J. Res. 585

PROPORTIONAL PLAN

Under the proportional plan, the electoral college would be abolished, but the electoral vote would be retained. The electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received, thereby eliminating the present winner-take-all system.

S.J. Res. 51	Cannon et al.	3/22/79
H.J. Res. 88	Vander Jagt	1/15/79
H.J. Res. 125	Ashbrook	1/22/79

1. Percentage of vote required to win:
   a. Majority -
      H.J. Res. 88, 125

   b. 40% -
      S.J. Res. 51

2. Required percentage not attained:
   House of Representatives chooses -
   H.J. Res. 88 (Senate chooses Vice President), 125
   Senate and House in joint session chooses -
   S.J. Res. 51

3. Voter qualifications:
   Same qualifications requisite for the electors of the most numerous branch of the state legislature -
   S.J. Res. 51
   H.J. Res. 125

4. Place, time, manner of holding election in states:
   Congress will determine the day of the election, which must be uniform throughout the United States, but state legislatures determine the place and manner -
   H.J. Res. 88 (Congress determines time for electing only), 125
   S.J. Res. 51

DISTRICT PLAN

Under the district plan, the electoral college would be preserved, with each state choosing a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress. However, in all states, the electors would be chosen by the voters from districts created within the state, and, in addition, two at-large electors would be chosen on a statewide basis. The winner-take-all aspects of the present system would thus be eliminated because a candidate would be credited with only those district electoral votes that he actually won. Further, in contrast to the present method, the candidates for the office of Presidential elector would be required to declare for whom they will cast their votes for President and Vice President and such declaration will be binding.

H.J. Res. 106	(Fuqua, 1/18/79)
H.J. Res. 207	(Conable, 2/19/79)
H.J. Res. 549	(Derwinski, 5/14/80)

1. Percentage of electoral vote required to win: Majority
   Majority -
   H.J. Res. 106
   H.J. Res. 207
   H.J. Res. 549

2. Tie vote in electoral college: Person with the greatest number of electoral district votes, rather than at-large electoral votes should win.
   H.J. Res. 207
   H.J. Res. 549

3. Required percentage not attained: Senate and House of Representatives choose President and Vice President from persons with three highest number of votes.
   H.J. Res. 207
   H.J. Res. 549

4. Required majority not attained: Senate and House of Representatives choose President and Vice President from the pairs of candidates not exceeding three having the highest number of electoral votes.
   H.J. Res. 106

5. Voter qualifications: Same qualifications requisite for the electors of the most numerous branch of the state legislature.
   H.J. Res. 106
   H.J. Res. 207
   H.J. Res. 549

6. Manner of holding elections in states:
   a. Congress will determine -
      H.J. Res. 207
      H.J. Res. 549

   b. States will determine subject to alterations by Congress -
      H.J. Res. 106

AUTOMATIC ELECTORAL VOTE PLAN

Under this plan, the Electoral College would be abolished but the electoral votes of each state would be retained. According to this method, the electoral vote of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state. Thus, as in the present system, the winner of the greatest portion of the popular vote would be credited with all of the electoral votes of the state. The proposal also provides for an automatic electoral vote plan but with an additional national pool of electoral votes equivalent to the number of senators plus an additional two for the District of Columbia, to be automatically allocated to the candidate receiving the most popular votes across the nation. S.J. Res. 48 (Bayh, 3/14/79), H.J. Res. 223 (Bingham, 2/26/79).

FEDERAL LEGISLATION

TERMS OF OFFICE FOR PRESIDENT, VICE PRESIDENT, SENATE AND HOUSE

Several Senate and House Joint Resolutions have been introduced in the 96th Congress which deal with the terms of office and number of terms allowed for the President, Vice President, Senate and House. Present terms for the President and Vice President are four years; Senate--six years (one-third of Senators elected every two years); and House--two years. The new proposals are:

S.J. Res. 25	Danforth et al.	1/24/79
S.J. Res. 27	De Concini et al.	1/24/79
S.J. Res. 34	Johnston	2/6/79
S.J. Res. 103	Thurmond	9/10/79
H.J. Res. 50	Hillis	1/15/79
H.J. Res. 158	Ichord	1/24/79
H.J. Res. 160	Quayle	1/24/79
H.J. Res. 168	Frenzel	1/29/79
H.J. Res. 169	Frenzel	1/29/79
H.J. Res. 170	Glickman et al.	1/29/79
H.J. Res. 179	Shumway et al.	1/31/79
H.J. Res. 182	Erdahl	2/1/79
H.J. Res. 186	Schulze	2/1/79
H.J. Res. 272	Emery	3/21/79
H.J. Res. 315	Jacobs	5/1/79
H.J. Res. 334	Clinger	5/16/79
H.J. Res. 368	Paul	6/27/79
H.J. Res. 377	Quayle	7/11/79
H.J. Res. 401	Duncan	9/14/79
H.J. Res. 419	Collins	10/12/79
H.J. Res. 538	Collins	4/29/80
H.J. Res. 582	Studds	7/11/80
H.J. Res. 603	Studds	8/27/80

Since one bill may relate to several of the following categories, it may be listed more than once.

PRESIDENT AND VICE PRESIDENT

6 Year Term

1 Term Limit

S.J. Res. 103
H.J. Res. 158
H.J. Res. 168
H.J. Res. 182
H.J. Res. 186
H.J. Res. 401
H.J. Res. 419
H.J. Res. 538
H.J. Res. 582

2 Term Limit

H.J. Res. 50

9 Year Total Service Limit

H.J. Res. 160
H.J. Res. 377

SENATE

Term Limit

1 - H.J. Res. 419
H.J. Res. 538

2 - S.J. Res. 25
S.J. Res. 27
H.J. Res. 182
H.J. Res. 334
H.J. Res. 368 (4 Yr. Term)

3 - H.J. Res. 169
H.J. Res. 186

* - H.J. Res. 50
* - H.J. Res. 160
* - H.J. Res. 315
* - H.J. Res. 603

HOUSE OF REPRESENTATIVES

2 Year Term

Term Limit

6 - S.J. Res. 25
7 - S.J. Res. 27
9 - H.J. Res. 169

3 Year Term

Term Limit

* - H.J. Res. 50
5 - H.J. Res. 186

4 Year Term

Term Limit

3 - H.J. Res. 170
H.J. Res. 179
H.J. Res. 182
* - H.J. Res. 334

Term Limit Not Specified

S.J. Res. 34
H.J. Res. 272

6 Year Term

Term Limit

1 - H.J. Res. 419

* H.J. Res. 50 - Allows twelve years aggregated service time in Senate or House or eighteen years combined Senate and House service
* H.J. Res. 160 - Allows fifteen years consecutive service time in the Senate and thirteen years aggregated service time in the House
* H.J. Res. 315 - Not more than twelve years Senate service within any fourteen-year period; not more than ten years House service within any twelve-year period
* H.J. Res. 334 - Allows not more than ten years aggregated service time in House
* H.J. Res. 603 - Allows not more than eighteen years combined Senate and House service

APPENDIX: 1979 SESSION LAWS

CALIFORNIA

SB 1138, Approved 9/26/79

Allows the placement of temporary political signs in areas which are protected from advertising displays under the outdoor advertising act, unless a federal agency determines that the placement of such signs would violate federal regulations.

Specifies that no political signs may be placed within 660 feet of and visible from the right-of-way of a landscaped freeway or within the right-of-way of a highway.

COLORADO

SB 158, Approved 5/30/79

Specifies that if there are not more candidates, including candidates filing affidavits of intent, for director of special districts than offices to be filled at the election, such fact shall be certified to the board. After holding a meeting, the board may cancel the election and declare the candidates elected by resolution. Notice of the cancellation shall be published, if possible, and posted at each polling place and at least one other public place.

HB 1033, Approved 4/25/79

Requires that a plan be developed and submitted to the general assembly by the judicial department no later than January 1, 1980, that will deal with criminal court decisions and other relevant material in order to inform the electorate on the performance of a judge.

ILLINOIS

SB 563, Act 81-1149, Approved 11/26/79

States that the polls shall be open from 6:00 a.m. to 7:00 p.m. (formerly 6:00 p.m.).

HB 1914, Act 81-1117, Certified 11/21/79

Requires reports of campaign contributions to be filed no later than fifteen days before a primary, as for other elections. However, no report need be filed ninety days after a primary, although such a post-election report is required for other elections.

Authorizes an elector to vote by absentee ballot if he is unable to be at the polls on election day because of election duties for the office of an election authority, the state board of elections, or a law enforcement agency.

Permits an election authority to adopt a standard application blank for an absent voter's ballot in lieu of separate applications prescribed for absence due to various reasons (e.g., observance of religious holiday, physical incapacity). Specifies the format for the standard application blank. Also specifies the printed certification to be used on the absentee ballot envelope if the election authority adopts the standard absentee ballot application blank.

HB 2228, Act 81-1189, Certified 11/29/79

Directs the state board of elections and each county clerk to provide to each candidate at the time he files his nomination papers a notice of obligations under art. 9 of the Illinois Election Code (relating to disclosure of campaign contributions and expenditures), a manual of instructions, and a supply of forms for the statements to be filed. Specifies that if a candidate files his nomination papers by mail or if an agent of the candidate files the nomination papers for the candidate, the board or county clerk is to send to the candidate the required materials within two business days. Additionally, at least thirty days before each filing date for reports of campaign contributions and for annual reports of contributions and expenditures, the board or the county clerk is to send to each political committee that has filed a statement of organization a notice of obligations under art. 9 and appropriate forms.

HB 2540, Act 81-1195, Certified 11/29/79

Deletes the requirement that the cards of instruction furnished to judges of election by the election authorities include copies of certain provisions of the Illinois Election Code.

HB 2799, Act 81-1211, Approved 12/5/79

Changes the name of the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act to the Nursing Home Care Reform Act of 1979.

Provides that when physically incapacitated electors in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 make voting application to the election authority not later than five days before the election, their ballots will be delivered by a judge of election on the day prior to the election. The election authority is required to notify the applicants, by mail, of this service. Methods for selecting judges of election are outlined.

Provides that voting in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 will be conducted during any continuous period sufficient to allow all applicants to cast their ballots, and at a time convenient to the election authority and the chief administrative officer of each facility. Public announcement of these arrangements must be made for the benefit of prospective poll watchers.

Requires that the department of public health must certify to the state board of elections within a certain specified time, a list of facilities licensed pursuant to the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act or the Nursing Home Care Reform Act of 1979. These lists must indicate the approved bed capacity and the name of the chief administrative officer of the facility. The state board of elections must certify the same information to the appropriate election authority within twenty days.

HB 2813, Act 81-1215, Approved 12/5/79

Allows political committees to request copies of registration information recorded on electronic data processing equipment, at a reasonable cost, from the board of election commissioners.

Specifies that such information is to be used only for bona fide political purposes, and forbids its use for commercial solicitation or business purposes.

Requires a candidate for delegate or alternate delegate to a national nominating convention to file a statement delaring his presidential preference or uncommitted status with the state board of elections at the time of filing his statement of candidacy, and requires that such preference or uncommitted status appear next to his name on the primary ballot.

KANSAS

SB 384, Approved 4/12/79

Allows the county election officer to mark the outside of a ballot for voting on a question or constitutional amendment with an identifying number, in order to distinguish it from other ballots on questions or constitutional amendments when more than one is submitted to the voters.

Changes the ballot instructions to electors voting in primary and general school elections and primary and general city elections. Requires that when voters are allowed to vote for the same number of candidates as the number of positions to be filled, they be informed that they may vote for fewer candidates if they so wish.

1979 SESSION LAW CONT'D

MASSACHUSETTS

HB 6754, Approved 10/16/79

Authorizes a city or town clerk to designate either a central tabulation center for the counting of paper ballots and punched cards, or to declare all polling places as tabulation centers (formerly, the clerk was required to choose one central tabulating center) and designates the clerk as the presiding officer at a central taublating center.

Allows the appointment of as many tabulating center inspectors as deemed necessary by the city or town clerk (formerly, no fewer than six were required to be appointed).

MICHIGAN

HB 4662, Act 151, Approved 11/27/79

Deletes the requirement that physically disabled voters attest by oath to their inability to vote unassisted.

Requires two election inspectors to assist a voter if he states that he cannot mark the ballot. Allows a blind voter to designate a family member or another person over eighteen years of age to assist him in marking his ballot.

NEBRASKA

LB 329, Approved 5/23/79

States that members of the city council must represent all areas and all socio-economic segments of the population of cities of the metropolitan class.

Provides that terms of office for council members shall be four (formerly three) years.

Specifies that the election commissioner shall divide a city of the metropolitan class into seven districts of contiguous territory. The districts shall be numbered consecutively from one to seven and one council member shall be elected from each district.

States that at the general city election held in 1981 the council members elected from even-numbered districts shall be elected for two-year terms and the members of the odd-numbered districts shall be elected for four-year terms. However, each of their successors shall be elected for four-year terms.

Requires that a candidate for council member be a qualified voter and a resident in the city or district or any area to be annexed by the city for one year.

NEBRASKA CONT'D

Changes the form for the statement of candidacy.

States that the primary election ballot shall include the number of the city council district, the name of the city as well as the number of city council members to be elected.

Specifies that the two candidates receiving the highest number of votes in each city council district at the primary shall be the only candidates whose names are placed on the official ballot for council members in each council district at the regular or general city election.

Stipulates that vacancies in the council shall be filled from the district in which the vacancy occurred. Salaries of the mayor and members of council shall be determined by local law.

OHIO

HB 141, Approved 12/14/79

Limits to two the number of judges and clerks that a board of elections may allow to officiate at certain special and municipal primary elections, providing that such officials be equally divided between the two major political parties at primary elections.

Allows the board of elections to appoint precinct officials, designated as receiving and counting officers, at each general or primary election. The board may determine the number of officials to be appointed, provided that the maximum number does not exceed four judges and two clerks, and that the maximum number be appointed only if necessary.

Permits the board to assign work shifts, and states that a receiving officer may perform the duties of either receiving or counting official, or both, if assigned to work a second shift.

PENNSYLVANIA

HB 1261, Act 124, Approved 12/13/79

Waives the late filing fees for certain reports of contributions and expenditures not filed within the prescribed periods in connection with various primary, special and municipal elections held during 1979.

1979 SESSION LAWS CONT'D

TENNESSEE

SB 522, Chapter 274, Approved 5/9/79

Requires that the county election commission appoint certain election officials not more than thirty days (formerly twenty days) before each election.

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Election Law
Update 80

Annual
Cumulative
Summary

INTRODUCTION BY THE NATIONAL CLEARINGHOUSE ON ELECTION ADMINISTRATION

Election Law Updates is a quarterly series designed to report and summarize all new State and Federal election legislation. The series is cumulative throughout the calendar year such that each quarterly edition contains the information of previous quarters culminating in the fourth quarter's Annual Cumulative Summary.

It is important to note that these updates summarize only recent changes in election laws and do not summarize the entire body of election law in each State. Summaries of each State's election code are available from the Clearinghouse only on certain specific topics (Campaign Financing, Ballot Access, Contested Elections and Recounts, Election Administration, and the like). Otherwise, readers are encouraged to review State election codes and to use these updates only to identify any changes since the publication date of the original code. By the same token, readers needing to make legal decisions on the basis of any new legislation are advised to obtain copies of that legislation rather than rely on the summary information contained herein. Finally, many readers, and especially legislators, interested in specific topics will benefit from the topical index in the back of the volume.

The **Election Law Updates** series is available on a subscription basis from the Government Printing Office as is the companion series **Election Case Law** which summarizes judicial cases in the same quarterly, cumulative manner. You may order these subscriptions by letter from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Identify either **Election Law Updates (ELU)** at $11.00 or **Election Case Law (ECL)** at $10.00 or both. Enclose check or money order for subscription price(s) payable to Superintendent of Documents.

Errors or omissions in these Updates may be reported to: Mr. Tom Durbin, Law Survey Manager, American Law Division, Library of Congress, West Main 204, Washington, D.C. 20540, telephone (202) 287-6006.

FEDERAL - STATE ELECTION LAW UPDATES:
AN ANALYSIS OF STATE AND FEDERAL LEGISLATION

PREPARED FOR

FEDERAL ELECTION COMMISSION

BY

AMERICAN LAW DIVISION OF THE CONGRESSIONAL RESEARCH SERVICE
LIBRARY OF CONGRESS

FINAL CUMULATIVE EDITION
JANUARY THROUGH DECEMBER 1980

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FOREWORD

The Federal-State Election Law Updates is a project sponsored by the Federal Election Commission and produced by the American Law Division of the Congressional Research Service of the Library of Congress. The Federal-State Election Law Updates analyzes both federal and state major election legislation. A quarterly cumulative publication will be issued in the months of April, July, October, and January. The January issue will be the final cumulative edition of the year.

The principal purpose of the Federal-State Election Law Updates is to furnish in the form of a brief analysis the essential provisions of State election laws. In regard to federal legislation, the Election Law Updates will provide a brief summary of pending public bills and resolutions dealing with election laws and include more detailed analyses of those bills that have had action. It is hoped that this publication will give readers sufficient information concerning what other states and the federal government are doing in the election area.

The editors rely on the accuracy, the promptness, and the completeness of the State Legislative Reporting Service of the Commerce Clearing House for copies of all State election laws. Unavoidably, there will be a time lapse between the enactment of some laws and their publication in the Election Law Updates. Such laws will appear in a later issue. The final cumulative issue of the year includes laws received through December 1 of that year. Laws received after that date will appear in the appendix of the first issue of the following year. Summaries of these laws are not intended to be exhaustive. The statutory text should be consulted before acting on the basis of any such enactment. Should more information be desired by the reader on any section, it might be necessary to contact the State legislature or congressional office to get a complete version of the law or bill. The object of this publication is to give as much detail as time and space permit.

Each issue of the Federal-State Election Law Updates encompasses the following sections:

Section I. State Session Laws -- This section contains summaries of significant election laws recently enacted by the states. Under each state heading, the Senate bills and resolutions that have become laws are listed first, followed by the House bills and resolutions; the bills and resolutions are listed in numerical order. After each bill number, there are listed a chapter number -- if given -- and the date on which the bill was approved and enacted into law. Laws relating to campaign finance are not included here, but are grouped together in Section II. Whenever a campaign finance law of a state appears in Section II, a cross-reference to that law is included with the summaries of that state's laws in Section I. If a law relates to both campaign finance and other aspects of election law, the campaign finance provisions are summarized is Section II and the other portions of the law are included in Section I.

Section II. State Campaign Finance Session Laws -- This section summarizies the significant laws on the subject of campaign finance that have recently been passed by the states. These laws are grouped together separately from other state election laws because of the special interest in this area of many readers. The format is the same as in section I.

Section III. Federal Legislation -- This section is devoted to an analysis of federal legislation introduced in Congress and of any action which Congress has taken on such legislation. The bills and resolutions are listed serially and briefly summarized. The major sponsor and the date of introduction follow, along with the committee to which the measure is referred and any further action taken on it.

Appendix. Summaries of state election laws (including campaign finance laws) enacted during 1979 and received by the editors too late to be included in the final cumulative issue of Election Law Updates for 1979 appear in the Appendix.

Index. All bills and laws are indexed.

Preparation of the Federal-State Election Law Updates is the responsibility of the American Law Division of the Congressional Research Service, Library of Congress, under contract with the Federal Election Commission and under the supervision of Gary L. Greenhalgh, Director of the Clearing House on Election Administration. Thomas M. Durbin, Jay R. Shampansky and Michael V. Seitzinger are the Editors. M. Ann Wolfe is the Managing Editor, La Vonne M. Grabiak is the Assistant Editor. Gilbert Gude, Director of the Congressional Research Service, Joseph E. Ross, Chief of the American Law Division, and Charles Doyle, Assistant Chief, serve as Supervising Editors.

TABLE OF ABBREVIATIONS

AB	Assembly Bill (State)
ACA	Assembly Constitutional Amendment (State)
ACR	Assembly Concurrent Resolution
AI	Assembly Initiative
AR	Assembly Resolution
CACR	Concurrent Resolution Proposing Constitutional Amendment (State)
FEC	Federal Election Commission
HB	House Bill (State)
HCR	House Concurrent Resolution (State)
H. Con. Res.	House Concurrent Resolution (Federal)
HF	House File (State)
HJR	House Joint Resolution (State)
H.J. Res.	House Joint Resolution (Federal)
H. Rept.	House Rept. (Federal)
HR	House Resolution (State)
H.R.	House of Representatives Bill (Federal)
H. Res.	House Resolution (Federal)
JRS	Joint Resolution/Senate (State)
LB	Legislative Bill (State)
S.	Senate Bill (Federal)
SB	Senate Bill (State)
SF	Senate File (State)
SCR	Senate Concurrent Resolution (State)

TABLE OF ABBREVIATIONS CONT'D

S. Con. Res. ---------------------- Senate Concurrent Resolution (Federal)

SI ---------------------------------- Senate Initiative (State)

SJR -------------------------------- Senate Joint Resolution (State)

S.J. Res. ------------------------- Senate Joint Resolution (Federal)

S. Mem. --------------------------- Senate Memorial (State)

S. Rept. -------------------------- Senate Report (Federal)

SR --------------------------------- Senate Resolution (State)

S. Res. --------------------------- Senate Resolution (Federal)

Subcom. --------------------------- Subcommittee

U.S.C. ---------------------------- United States Code

HIGHLIGHTS OF MAJOR ELECTION LEGISLATION

STATE LEGISLATION

Bill Number	Title or Description	Approved	Act/Chap. No.
Louisiana SB 668	Campaign Finance	7/31/80	Act 786
Minnesota SF 129	Apportionment	4/22/80	Chapter 588
Minnesota HB 2304	Campaign Finance, Initiative and Referendum Elections	4/22/80	Chapter 587
New Jersey SB 1176	Campaign Finance	7/23/80	Chapter 74
Tennessee HB 945	Campaign Finance	5/1/80	Chapter 861
Vermont HB 221	Presidential Preference Primary	5/6/80	Chapter 57

SECTION I - STATE SESSION LAWS

ALABAMA

SB 86, Act 93, Approved 3/20/80

Changes the day for holding regular elections in cities and towns from the third Tuesday in August to the second Tuesday in July. Changes the day a second or runoff election will be held from the first Tuesday in September to the third Tuesday following the regular election.

Changes the day that a statement of candidacy and certified affidavit must be filed for municipal elections from the third Tuesday in June to the first Tuesday in June.

Changes the day the required certified lists of qualified voters must be filed with the municipal clerk from the second Tuesday in May to the first Tuesday in June. Requires that the clerk then post this list in three public places in the municipality before the second Tuesday in June.

Changes the length of time in which the envelope containing the voting statement and the sealed ballot box must be delivered to the municipal clerk from not later than twenty-four hours after the polls have closed to not later than 11:00 a.m. on the next day after the polls have closed.

Changes the day when the returns of the election must be canvassed from not later than noon on Thursday following the election to not later than noon on Wednesday following the election.

Provides that if no candidate receives a majority of all the votes cast in an election, a second or runoff election must be held not later than the third Tuesday following the regular election.

SB 87, Act 94, Approved 3/20/80

Provides that the regular municipal elections in cities and towns must be held on the second Tuesday in July, 1980, and quadrennially thereafter.

Changes the day when a second or runoff election must be held from the first Tuesday after the second Monday in September to the third Tuesday following the regular election.

Changes the day when the notice of a regular election must be published from no earlier than the second Tuesday and no later than the third Tuesday in June to no earlier than the second Tuesday and no later than the third Tuesday in May.

Provides that when two or more municipal offices of the same name are to be filled at the regular election, the municipal body is required to designate each of these offices by number prior to the first day of March.

Changes the day the statement of candidacy and certified statement of qualification must be filed from 5:00 p.m. on the first Tuesday in July to 5:00 p.m. on the first Tuesday in June.

Changes the day the voter qualification list must be filed with the municipal clerk from the first Tuesday in July to the first Tuesday in June. Changes the day the clerk is required to publish this list from on or before the second Tuesday in July to on or before the second Tuesday in June.

Changes the day the statement of the votes envelope and the sealed ballot box must be delivered to the municipal clerk from not later than twenty-four hours after the polls have closed to not later than 11:00 a.m. of the day after the polls have closed.

Changes the day the municipal governing body is required to canvass the returns received from the several elections officers from not later than noon on the Thursday after the election to not later than noon on the Wednesday after the election.

Changes the day the municipal governing body must order a second or runoff election to be held in the event that no candidate receives a majority of all the votes cast from the first Tuesday after the second Monday of September to the third Tuesday following the regular election.

HB 19, Act 725, Approved 5/28/80

States that election officers must be appointed from qualified electors, excluding members of a candidate's immediate family or any member of a candidate's political committee, to serve as poll workers or election officials.

HB 622, Act 732, Approved 5/28/80

States that an application for an absentee ballot shall include the applicant's name, age, sex, residence address or such other information necessary to verify that such applicant is a registered voter and the address to which he desires that ballot to be mailed.

Provides that, upon receipt of the application for an absentee ballot, if the applicant's name appears on a list of qualified voters in the election to be held or if the voter makes an affidavit for a challenged voter, the registrar shall furnish the absentee ballot to the applicant by forwarding it by mail or by handing the absentee ballot to the voter in person.

Provides that each absentee ballot shall be accompanied by an envelope upon which shall be printed an affidavit. Changes the form of the affidavit for absentee ballots.

States that every qualified absentee voter shall be furhished with two envelopes for returning his marked ballot. One envelope shall be a plain envelope in which the ballots shall be sealed by the voter after he has marked it. The second envelope shall have the voter's affidavit printed on the back and shall be large enough to seal the plain ballot envelope inside.

Specifies that upon receipt of an absentee ballot, the absentee election manager shall record its receipt on the absentee ballot list. The absentee election manager shall deliver the sealed affidavit envelopes to the election officials beginning at noon on the day of the election. Such election officials shall then call the name of each voter casting an absentee ballot with poll watchers present and open each affidavit envelope, review the affidavit to certify that the voter is entitled to vote and deposit the plain envelope containing the absentee ballot into a sealed ballot box. After the closing of the polls, the absentee ballots shall be counted and handled as if the absentee voter were present and voting in person.

Provides that any person or organization authorized to appoint poll watchers may have a single watcher present at the counting of absentee ballots.

Specifies that any person who willfully changes an absentee voter's ballot so that it does not reflect the voter's true ballot or any person who willfully votes more than once by absentee ballot in the same election, or any person who willfully votes for another voter or falsifies absentee ballot applications or verifies documents so as to vote absentee is in violation of sec. 17-10-17 of the Code of Alabama and, upon conviction, shall be punished by imprisonment in the penitentiary for not less than one nor more than two years or by a fine of not less than $500 nor more than $2,000 or by being both fined and imprisoned.

HB 663, Chapter 243, Approved 4/18/80

Provides that any class 3 municipalities having a mayor-council form of government and having a general municipal election or run-off election required by general or local act at times different from the dates provided by art. 2, chap. 46, of t. 11, Code of Alabama, may elect by ordinance to have elections held at the time required by art. 2.

HB 776, Act 363, Approved 5/6/80

Provides that any class 5 city (cities with a population of not less than 25,000 and not more than 49,999 inhabitants) may hold its city election on the second Tuesday in July, 1980, and the runoff election three weeks after that date. Provides that city elections be held on that date every three years in those cities which adopt a resolution to that effect.

HB 1105, Act 668, Approved 5/28/80

Provides that a school of instruction shall be held for election officers in each state senate district in Mobile County at least five days before an election or primary election. Notification of the time and place of such school of instruction shall be made by the sheriff. Publication of such notice shall be made at least forty-eight hours before the election or primary election is to be held.

Specifies that no election official shall serve in any election district in which a voting machine is used unless the official has received instruction, has received a certificate from the authorized instructor, and is fully qualified to perform the duties in connection with the machine. However, appointment of an uninstructed person as an election official to fill a vacancy shall not be prevented.

HJR 10, Act 80-5, Adopted 2/21/80

Provides that an election upon the constitutional amendments proposed by the 1979 regular session of the legislature is to be held on March 11, 1980, the date of the presidential primary election.

HJR 269, Act 397, Adopted 5/1/80

Provides a common date for holding elections on all constitutional amendments proposed at the 1980 session of the legislature when a date is not otherwise specified.

ALASKA

SJR 2, Approved 5/16/80

Proposes an amendment to the Alaska constitution which, if adopted, would provide that no state legislator, during the term for which elected and one year thereafter, may be nominated, elected or appointed to any other state office or position of profit which has been created while he was a member. This prohibition includes the offices of governor and secretary of state. Repeals the exemption for certain offices from the provision prohibiting a state legislator from holding any other state or federal office.

Excludes positions, the salary or emoluments of which have been increased, during a legislator's term, from those positions to which a legislator may not be nominated, elected or appointed.

HB 3, Chapter 100, Approved 6/20/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Provides that a person who is eighteen years of age or older may vote at an election. A person under eighteen years of age may register at any time within ninety days preceding his eighteenth birthday.

States that a person residing outside the United States may register and vote by absentee ballot if he: (1) is domiciled in the state immediately before leaving the United States; (2) has not established a domicile in another state, territory or possession of the United States; (3) is not registered to vote and has not voted in another state, territory or possession of the United States; and (4) has a valid passport, card of identity and registration or other identification issued under the authority of the United States Secretary of State.

Provides that a person who is not on the official registration list shall be allowed to vote a questioned ballot.

Provides that registration by mail shall be on forms prepared by the director. The forms shall be executed before a notary public, commissioned officer of the armed forces, district judge or magistrate, United States postal officer or other person qualified to administer oaths. If none of the officials mentioned above are accessible, forms shall be witnessd by two persons over the age of eighteen.

States that proof of identification may be required of the applicant when registering by mail.

Provides that names of persons registering thirty or more days before an election shall be placed on the official registation list for that election. Applications postmarked after the thirty-day requirement shall be placed on the master register after that election. Incomplete or inaccurate registration forms may not be accepted and shall be re-executed.

States the requirements and duties of a registration official.

Provides for the updating of the registration list.

Provides that the election supervisor and election board chairman may secure an alternate location for a polling place in an emeregcncy.

States that the director of the board of elections (formerly lieutenant governor) shall provide each polling place with maps and materials which indicate election district boundaries, precinct boundaries and polling places, after it has been determined that a voter may be confused as to his correct precinct polling place.

Specifies that during the hours the polls are open, no person who is in or within 200 (formerly 100) feet of the entrance to the polling place my attempt to persuade a person to vote for or against a candidate, proposition or question.

States that every election judge, election clerk, watcher and any other person qualified to vote in the precinct may question a person attempting to vote if the questioner has good reason to suspect that the questioned person is not entitled to vote. All questions regarding a person's qualifications to vote shall be made in writing, setting out the reason the person has been questioned.

Specifies that the election board must account for all ballots by completing a ballot statement containing: (1) the number of official ballots received; (2) the number of official ballots voted; (3) the number of official ballots spoiled; and (4) the number of official ballots unused and destroyed. Questioned ballots shall also be counted and compared to the number of questioned voters in the register.

States that ballots shall not be counted before 8:00 p.m. local time on the day of the election.

Provides that in order for an elector to vote for a write-in candidate, the elector must write the candidate's name in the space provided or place a sticker in the the space and mark the square opposite the candidate's name.

States that the locations at which absentee voting stations will be operated on election day and on other dates and times shall be designated by the director. Voting stations shall be supplied with ballots for all election districts in the state and designated absentee voting officials shall be appointed to serve at absentee voting stations.

Provides that the election supervisor shall appoint a counting team or teams to aid the district absentee ballot counting board in counting questioned ballots. Four counters shall be on each counting team, no more than two of whom may be members of the same political party.

Provides that the state review board shall review and count absentee and questioned ballots forwarded to the director which have not been reviewed or counted

ALASKA CONT'D

by the district counting boards. Absentee and questioned ballots not received in the office of the director by 4:00 p.m. on the fifteenth day following the election may not be counted. Specifies that the director shall check all of these ballots.

Requires the following security precautions to be taken in regards to vote-counting after a computer has been tested. Vote-counting shall remain isolated from non-related processing tasks. Processing not concerned with vote-counting shall be limited to tasks which are critical to the computer center. Computer security controls shall be in effect to assure the integrity of the vote-counting process. Until the vote-counting process has ended, access to the computer-counting area shall be controlled by the data processing review board.

States that if failure of computer equipment occurs and repairs cannot be made within a reasonable amount of time, the computer room process shall be moved to an alternate site if an alternate computer is not available at the same site. However, if an alternate computer is available at the same site, ballot-counting shall be continued after a test run has been made by the data processing review board.

Provides that a member of a political party who seeks to become a candidate of that party in a primary election shall file a declaration of candidacy which shall state that he is not a candidate for any other office in the primary or general election, that he has not filed another declaration of candidacy or nominating petition for the office for which his declaration is filed and that he is registered to vote as a member of the political party in which he seeks nomination. States also that a person shall file a statement of income sources and busisness interests while simultaneously filing a declaration of candidacy.

States that the filing fee paid by candidates shall be collected from the director and paid to the central committee of the candidate's political party.

Provides that an indigent person may file a statement of indigency in place of the required filing fee.

States that petitions for the nomination of candidates not representing any political party and petitions for the nomination of candidates for the office of governor, lieutenant governor, United States Senator and United States Representative shall be signed by at least three percent of the number of votes cast in the preceding general election.

Provides that the assembly and council shall meet at least once every month and shall determine their own rules and order of business and provide for keeping a journal of their proceedings. Both the assembly and council are the judges of the election and qualification of their members and with the concurrence of two-thirds of their members, may expel a member for conviction of a felony or misdemeanor. The convictions shall be considered during their first meeting following final determination of the conviction.

Provides that certain sections of this law (those dealing with the creation of the board of elections) are effective thirty days after the lieutenant governor certifies that the voters have adopted an amendment to the state consititution providing for the establishment of a board of elections at the head of the division of elections.

HR 28, Chapter 20, Approved 4/10/80

Provides that candidates for state offices and national legislative offices will be nominated in a primary election by direct vote of the people in the manner prescribed by sec. 15.25.010 - 15.25.200 of the Alaska Statutes.

Adds a section to the election code governing presidential party primary elections providing that the lieutenant governor will call such an election on the third Tuesday in April of a presidential election year or a different date if proclaimed by September 1 of the year preceding the presidential election; if a different date is assigned to the primary, the dates that petitions are filed and that candidates must be notified are adjusted.

Provides that generally recognized candidates for the nomination for President will be placed on the ballot. Specifies that the lieutenant governor is to announce names of candidates for the ballot on the last Tuesday in January. Provides that the lieutenant governor must notify each candidate that the candidate's name will appear on the ballot in this state and give the candidate instructions on how his or her name may be withdrawn.

Provides that supporters of a candidate for nomination for President may file a petition to have the name of the candidate of their choice on the ballot. Specifies that such petitions must be filed by the last Tuesday in February and must contain the signatures of qualified voters residing in no less than two-thirds of the election districts of the state equal in number to five percent of the number of votes cast for the candidates for governor in the preceding election for governor.

Provides that the petition for presidential candidate must include the following: a) the full name of the candidate; b) the name of the political group supporting the candidate; c) the name of the political party in which the candidate is registered; d) a statement that the subscribers are qualified voters of the state; and e) a statement that the subscribers request that the candidate's name be placed on the ballot. Provides that the signature sheets must also contain the printed name and residence address of each qualified voter whose signature appears on the petition.

Provides that political parties in the state must select delegates to their national conventions according to the party's plan of organization. Specifies what proportion of delegate votes each candidate will receive based on the proportion of votes cast for that candidate in the primary.

ALASKA CONT'D

Provides that a delegate's vote must be cast for the candidate to whom that delegate is pledged until that candidate is nominated by the convention, releases the delegates from the pledge, or until two convention nominating ballots have been taken.

Provides that no other state election may be scheduled on the date scheduled for the presidential party primary election.

ARIZONA

SB 1275, Chapter 239, Approved 4/23/80

See Section II for a summary of this law.

CALIFORNIA

SB 1412, Chapter 642, Approved 7/19/80

States that, upon certification, the secretary of state shall transmit copies of an initiative measure to the senate and assembly. Joint public hearings shall be held on such initiative prior to the electon at which the measure is to be voted upon. States also that no such hearing shall be held within thirty days of the election.

SB 1449, Chapter 1287, Approved 9/29/80

Provides that to be eligible to be elected or appointed to an elective office a person must be able to vote for that office at the time that nomination papers are issued or at the time of the person's appointment.

Provides that the county clerk will charge not more than $1.50 for certified copies of the entries upon the register.

Provides that if an absentee ballot application does not contain all the information required and if the application arrives within the proper time, the election official must mail to the voter, within one working day of receiving the application, an absent voter's ballot together with a notice informing the voter that his or her absent voter's ballot will not be counted unless the missing information is provided.

Provides that an absentee ballot that has been delivered by an elections official to a voter either directly or through an authorized representative may be returned either by the voter or through the authorized representative.

Provides that a voter will not be charged a fee for a certificate showing the record of registration if the voter applies to the county clerk for a certificate because the voter's affidavit of registration is erroneously placed in the wrong precinct.

Provides that if the petition certificates received by the secretary of state from all the county clerks establishes that the number of valid signatures on an initiative or referendum does not equal ninety percent of the number of qualified voters needed to find the petition sufficient, the petition will have failed. Also specifies that the petition will qualify on the date of receipt by the secretary of state of such certificates totaling more than 110 percent of the number of qualified voters needed to find the petition sufficient.

Provides that amended petition certificates will qualify as of the date of receipt by the secretary of state, of the requisite number of voter signatures.

Provides that an initiative petition concerning certain city ordinances which is signed by not less than ten percent of the voters in certain cities and is not submitted to voters at a special election and is not passed without change by the legislative body, must be submitted by the legislative body to the voters at the next regular municipal election occurring not less than seventy-five nor more than eighty-nine days after the order of the legislative body.

Provides that an advisory election will not be permitted to be consolidated with another scheduled election if the ballot's capacity will be exceeded because of the addition of the advisory election.

Specifies that ten (formerly, thirty-five) days before each statewide election each county clerk is required to submit to the secretary of state a statement of the total number of voters in the county, the number registered as affiliated with each political party, political body, and the number who declined to state a party affiliation.

Provides that within 180 days of receiving the statement of the number of voters in each county, the secretary of state must compile the data into statewide form showing the number of voters, by party affiliation, in the state and in each county, city, assembly district, senatorial district, congressional district and supervisorial district in the state. This data may be reported in the secretary of state's statement of the vote. Requires that a copy of the compiled data will be made available, upon request, to any elector of the state.

Deletes the section which stated that all nomination documents which are not required to be filed in the office of secretary of state will be filed in the office of the county clerk on the eighty-third day before the primary election.

Provides that the phrase "appointed incumbent" will not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election.

Repeals the section which defines "clerk."

Provides that if the surname of any person offering to vote has been changed since the person has registered, such person must sign his or her name as it was before the change and also the appropriate name as it is at the time the person votes, indicating on the roster on the same line by brackets or other means that the two names are the name of one person.

Provides that a change in the boundaries of a supervisorial district will not be made within forty-five days before the first day for circulating nomination papers for an election of supervisors in the county or between the direct primary election and the general election.

SB 1613, Chapter 759, Approved 7/27/80

See Section II for a summary of this law.

SB 1807, Chapter 758, Approved 7/27/80

Requires the county clerk to preserve all original affidavits of registration and all rosters of voters for five years after which they may be destroyed.

States that instead of preserving the original affidavit of registration and rosters of voters, the county clerk may record the original copies by filming or other suitable method.

SB 2063, Chapter 919, Approved 9/18/80

Provides that by January 1, 1981, each county clerk must provide to the state legislature a tally of the number of voters affiliated with each qualified political party who voted in each precinct at the November 4, 1980, general election.

Specifies that the voter party affiliation information is required so that the legislature may undertake the reapportionment of legislative, congressional, and board of equalization districts as is required by the California constitution.

Provides that this bill is operative until July 1, 1981.

AB 556, Chapter 838, Approved 8/28/80

Provides that upon receiving more than 500 signatures on the nomination papers for an independent candidate, the elections official may use a random sampling technique for verification of signatures. (Formerly, this could be dome only within thirty days of receiving the nomination papers.)

Changes the number of days that circulators may obtain signatures to the nomination papers of any candidate from not more than 134 nor less than seventy-four days to not more than 148 nor less than eighty-eight days prior to the election.

Increases the time within which the county clerk must examine and certify to the sufficiency and number of signatures on any nomination papers left for examination from ten to twenty-four days.

Changes the number of days prior to the election in which a candidate must leave his or her affidavit (formally titled "a declaration of candidacy") with the county clerk from seventy-four days to eighty-eight days.

Changes a number of headings on a ballot which specify the elective office being voted for (e.g., from "Delegates to the National Convention" to "President of the United States," from "Congressional" to "United States Senator").

Provides that in certain counties the county clerk may vary the order that some of the subdivisions and offices within those subdivisions are listed on the ballot provided that the office of state superintendent of public instruction must always precede any school, county or city office.

AB 870, Chapter 26, Approved 3/5/80

Provides that if an incumbent of a judicial office fails to file his or her nomination papers by the last day prescribed for filing, an additional five days must be allowed for filing for the office even if he or she has not filed a written and signed declaration of intention to become a candidate for the office.

AB 1486, Chapter 289, Approved 7/1/80

See Section II for a summary of this law.

AB 2033, Chapter 710, Approved 7/26/80

Provides that in most cases a special election to decide on the adoption of a proposed ordinance brought by means of an initiative petition must be called by the board of supervisors not less than eighty nor more than 120 days after the date of the presentation of the proposed ordinance.

Provides that the county clerk must fix a deadline for the presentation of arguments for and against any proposed ordinance brought before the voters through an initiative petition. The deadline must be based on the time reasonabaly necessary to prepare and print the arguments, analysis, and sample ballots to permit a twenty-day public examination of these materials.

Provides that the clerk must make a copy of proposed ordinance arguments, the analysis, and sample ballots available for public examination in his or her office. Provides that upon request and for a fee which does not exceed the cost of providing the copy, the clerk must make copies of this material available.

Provides that within the twenty-day public examination period of proposed ordinance materials, certain judicial procedures may be used by any voter to assure that these materials are not false, misleading or inconsistent with statutory requirements.

Provides that when an initiative petition contains a request that the ordinance be submitted immediately to a vote of the people at a special election and the petition is signed by a specified percentage of city voters, the ordinance may be adopted within ten days of presentation or a special election must be ordered not less than ninety-four nor more than 109 days after the date of the order.

Specifies that certain other ordinances presented through initiative petitions must be submitted to the voters by the legislative body at the next regular municipal election occurring not earlier than the eighty-ninth day nor later than the seventy-fifth day after the order of the legislative body.

Provides that certain ordinances presented to the voters by the legislature through the referendum procedure, must be submitted to the voters within specified time spans at a general or special election.

Changes the deadline from seventy-four to eighty-eight days before an election for a district, city or other political subdivision to file a resolution with the board of supervisors requesting that a question, proposition, or office to be filled be consolidated with a statewide election.

AB 2061, Chapter 97, Approved 5/15/80

Changes filing fees for candidates for judicial office or any county office to one percent of the annual salary of the office unless the annual salary of the office is $2,500 or less.

AB 2129, Chapter 1268, Approved 9/29/80

Specifies that any city which requests that the county clerk prepare the city's election materials shall supply the county clerk with a list of its precincts no later than sixty-one days before the election.

States that, effective until January 1, 1983, the rotation of candidates' names by precinct clusters shall not apply to a city election which is consolidated with an election conducted throughout a county of the first class.

AB 2251, Approved 4/3/80

Adds a new section to the California Elections Code which states that any statement for the voters' pamphlet submitted by a candidate for judicial office shall be limited to a recitation of the candidate's own personal background and qualifications and shall not make reference to another candidate's qualifications, character or activities. Any statement which includes such references shall not be printed or circulated.

AB 2421, Chapter 928, Approved 9/18/80

Requires that candidates for specified offices (including, inter alia, elected state offices, judges of courts of record, members of various state commissions, members of the board of supervisors, district attorneys and certain local offices must file their statements disclosing investments and interests in real property no later than the final filing date of a declaration of candidacy.

AB 2519, Chapter 963, Approved 9/18/80

Provides that the secretary of state shall adopt regulations governing the manufacture, distribution, and inventory control of punchcards and requires the periodic inspection of the manufacturing and storage facilities involving punchcards. Each punchcard manufacturer shall be approved by the secretary of state prior to providing punchcards for use in California.

Requires the secretary of state to issue a written release for punchcards to the manufacturer or warehouse before the local jurisdiction may purchase such punchcards.

Requires the secretary of state to release an authorization for the storing of ballot paper or punchcards for a subsequent election. The authorization shall specify details of the amount to be stored so that audit controls may be established. Provides for the destruction of unused ballot paper or punchcards not used in the election and not authorized to be retained for subsequent elections. A certificate of destruction shall be transmitted to the secretary of state.

Provides, with the written authorization from the secretary of state, for the recycling of any unmarked ballots which clearly identify the election for which they were prepared.

AB 2768, Chapter 958, Approved 9/18/80

Provides that upon request of a candidate the county clerk must issue a special "in-lieu-filing-fee petition" for a primary election to the candidate. Provides that all valid signatures on the special in-lieu-filing-fee petition must be counted towards the number of voters required to sign a nomination paper and an in-lieu-filing-fee petition.

Provides that if an independent candidate submits an in-lieu-filing-fee petition, the county clerk, upon the request of the candidate, must accept all valid signatures appearing on the candidate's in-lieu-filing-fee petition toward the number of signatures required to be submitted on an in-lieu-filing-fee petition and on a nomination paper.

Provides that if signatures appearing on a candidate's nomination papers and on a candidate's in-lieu-filing-fee petitions are both counted, a voter may sign only one of the documents.

CALIFORNIA CON'D

AB 3413, Chapter 564, Approved 7/16/80

Permits the legislative bodies of any county, city or special district who adopt certain provisions of this act prior to the conduct of an election resulting in a tie vote to resolve a tie vote by lot or by conducting a special runoff election.

Allows the governing body of the district, by resolution, to revoke the adoption of the all-mailed ballot procedure and consolidate the general district election with any election scheduled in the same territory.

AB 3419, Chapter 1000, Approved 9/19/80

Amends provisions relating to contents of financial disclosure statements which must be filed by certain public officeholders and candidates for such offices. Specifies that as to an investment or an interest in real property that is required to be disclosed, there must be an indication whether the fair market value of the investment or interest in real property exceeds $1,000 but does not exceed $10,000, whether it exceeds $10,000 but not $100,000, or whether it exceeds $100,000. Also, as to income required to be reported, there is to be an indication whether the aggregate value of the income from each source, or in the case of a loan, the highest amount owed to each source, was at least $250 but did not exceed $1,000, whether it was in excess of $1,000 but was not greater than $10,000, or whether it was greater than $10,000.

COLORADO

SB 1, Approved 3/17/80

Rewrites art. 13 of the Colorado election code, relating to offenses in elections. Combines and makes uniform existing provisions in art. 13 and art. 30, and repeals the existing art. 30. Provides that the act takes effect January 1, 1981. (According to the office of the Colorado Legislative Council, this measure is a reenactment and does not make substantive changes in the law.)

SB 5, Approved 2/14/80

Provides that any voter, including any judge of election, unable to go to the polls because of conditions arising after the closing date for absent voter ballot applications may apply at the office of the county clerk and recorder for an emergency absent voter's ballot before 5:00 p.m. on the day of the election (formerly the day before the election) and the ballot shall be returned no later than 7:00 p.m. on the day of the election.

SB 12, Approved 2/21/80

Recodifies (effective January 1, 1981) the provisions of the election code relating to general, primary, and congressional vacancy elections. Revises and rearranges existing law into a more logical sequence. (According to the office of the Colorado Legislative Council, this measure does not make substantive changes in the law.)

HB 1021, Approved 3/25/80

Authorizes branch registration offices to be open at any time after forty-five days following any general election. Provides that the hours for branch offices are to be set by the county clerk and recorder, except that a branch office open each day on and after the sixty-third day until and including the thirty-second day preceding each primary and on and after the day after the primary until and including the thirty-second day before each general election is to be open a minimum of two hours per day in a county with a population of less than 50,000 and a minimum of four hours per day in a county with a population of 50,000 or more. Specifies that the act is effective January 1, 1981.

HB 1024, Approved 3/25/80

Provides that the changes in the boundaries of precincts or the creation of new precincts is to be completed at least thirty-two days (formerly, five months) prior to the precinct caucus day (formerly, the day of the general election), except in cases of precinct changes resulting from changes in county boundaries. States that when a board of county commissioners determines to change the boundaries of commissioner districts or when new districts are created, such changes or additions are to be completed not less than thirty-two days prior to the precinct caucus day, except in cases of changes resulting from changes in county boundaries. Prohibits the alteration of the boundaries of director districts more often than twice every four years. Provides that this act takes effect January 1, 1981.

CONNECTICUT

SB 70, Act 80-223, Approved 5/13/80

See Section II for a summary of this law.

SB 143, Act 80-212, Approved 5/13/80

See Section II for a summary of this law.

SB 144, Act 80-432, Approved 6/4/80

See Section II for a summary of this law.

SB 147, Act 80-215, Approved 5/14/80

Requires the town clerk to notify the secretary of state and the clerk of the superior court for the judicial district in which such town is located of any vacancy in the office of justice of the peace.

States that whenever there is a vacancy in the general assembly, the governor shall issue writs of election directed to the town clerks or assistant town clerks in which the vacancy exists, ordering an election to be held on the forty-sixth (formerly fortieth) day after the issue of such writs to fill such vacancy. Such clerks or assistant ckerks shall warn elections to be held on the day appointed, but not earlier than the date of issuance of such writs. When a vacancy occurs in a district office as defined in sec. 9-372 of the Connecticut General Statutes, nominations by political parties may be made at any time after the resignation or death of the member or member-elect of the General Assembly and prior to the tenth day after publication of the warning of the election. Such nomination shall not be effective until the presiding officer and secretary of any district convention have certified the nomination to the secretary of state or, in the case of a vacancy in a senatorial or assembly district composed of a single town or part, until the presiding officer and secretary of the town committee or single town convention have certified the nomination to the town clerk.

Specifies that the clerk shall file a list of candidates of each party for district office with the secretary of state by the thirty-second day before the special election.

Provides for the appointment of suitable mechanics to prepare, adjust and place the voting machines for use at an election. Such mechanics shall be sworn to perform their duties honestly and faithfully and shall be considered as election officials. However, such mechanics shall not be required to be electors of any town.

CONNECTICUT CONT'D

States that all election officials of each polling place shall be electors of the town.

SB 497, Act 80-249, Approved 5/13/80

Provides that the party endorsement certification for delegate to a convention may contain, along with the required information, the last name of a candidate selected by the endorsing authority for placement on the ballot label.

Adds to the specifications for ballot placement and form the requirement that on the first horizontal line in each vertical column used for delegates to a convention must be placed the words "party-endorsed slate" preceded by the last name of one of the party-endorsed candidates for delegate if such name was certified to the municipal clerk.

HB 5151, Act 80-339, Approved 5/21/80

Provides for the use of absentee ballots as emergency paper ballots in any municipality having less than 5,000 electors if any voting machine used becomes damaged so as to render it inoperative in whole or in part.

Specifies the manner in which the emergency paper ballots shall be cast. Also specifies that the use of emergency paper ballots shall be discontinued upon replacement or repair of at least one machine.

HB 5289, Act 80-272, Approved 5/14/80

See Section II for a summary of this law.

HB 5291, Act 80-271, Approved 5/15/80

Provides that no person (defined to include an individual, committee, firm, partnership, corporation, or other legal entity of any kind) shall make any expenditure for the purpose of financing any written, typed, or other printed communication which promotes the success or defeat of any candidate's campaign for nomination or election or which promotes the success or defeat of any constitutional amendment, referendum question or question to be voted upon at any election unless the communication bears upon its face, in the case of an individual who pays for or sponsors the communicaton, the name and address of the individual, or in the case of a committee, organization, or business corporation who pays for the communication, the name of the entity and of a specified official thereof. States that this provision shall not be construed as applying to any editorial, news story, or commentary published in any newspaper, magazine, or journal on its own behalf and for which it does not charge or receive any compensation. The provision also does not apply to political paraphernalia including pins, buttons, badges, emblems, hats, bumper stickers, lawn or yard signs or other similar materials.

HB 5292, Act 80-281, Approved 5/15/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Provides that in lieu of the application form prescribed in sec. 9-27 of the Connecticut General Statutes Annotated, a member of the armed forces or merchant marine or a spouse or dependent of such member may apply for registration and enrolment on the federal postcard application form provided pursuant to the Federal Voting Assistance Act of 1955, as amended, or any other applicable law. Specifies that the failure of the applicant to take the elector's oath of Connecticut on the federal postcard application will not invalidate the application of admission.

Adds overseas citizens qualified to vote under the Overseas Citizens Voting Rights Act of 1975, as amended, to the list of persons who are permitted to make use of an absentee ballot application provided by any federal department or agency.

States that the exercise of any right to vote in federal elections by any citizen outside the United States shall not affect the determination of his place of residence or domicile for purposes of any tax imposed under federal, state, or local law.

Requires each justice of the peace to be an elector of the municipality in which he is elected or nominated to office.

States that a pencil shall be provided within each voting machine for use in casting a write-in ballot.

HB 5425, Act 80-379, Approved 5/21/80

Provides that municipal registrars conduct either a house-to-house canvass or that such a canvass be made by mail within six months before each regular election. Provides that the secretary of state adopt regulations for conducting a canvass by mail.

Provides that the town chairman must give notice in a general circulation town newspaper of the date, time, location and purpose of a caucus held to select party-endorsed municipal office candidates five days before the caucus day.

CONNECTICUT CONT'D

HJR 3, Adopted 4/24/80

Proposes an amendment to the Connecticut constitution which, if adopted, would include congressional districts in the guidelines established by the legislature to reapportion the state after the decennial census is complete. Specifies the procedures to be followed in calling a special session of the legislature for the purpose of adopting a plan of districting. Outlines the procedures to be followed for adopting a plan of districting.

DELAWARE

HB 678, Approved 2/5/80

Changes the language of several provisions of the state code relating to school district elections so that the prescribed wording on the ballot (e.g., "for additional tax" and "against additional tax") applies to both paper ballots and voting machines. Whereas the law previously specified the wording for paper ballots, it failed to extend the provisions to the use of voting machines.

FLORIDA

SB 618, Chapter 292, Approved 7/1/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Directs the supervisor of elections to determine the actual number of ballots to be printed in any county in which voting machines are not used. Specifies that in any county in which voting machines are used, one set of official ballots shall be provided for each machine plus a number of sets equal to five percent of the total number of machines, of which one set shall be inserted or placed in or upon the machines and the five percent retained in the custody of the supervisor, unless it becomes necessary during the election to make use of these ballots upon or in the machines.

Provides that in the case of a change in party affiliation, the elector shall make a written request for such change and surrender his registration identification card, or indicate in writing if it has been lost, stolen, or destroyed, to the supervisor of elections. Specifies that upon verification, the supervisor shall cancel the elector's prior registration and issue the person a new card, provided than a new card shall not be issued while the registration books are closed.

States that although persons temporarily residing outside a county shall be registered in the precinct in which the county courthouse is located when they have no permanent address in the county and it is their intention to remain residents of the state and of the county in which they are registered, such persons shall not be registered electors of the municipality and therefore shall not be permitted to vote in any municipal election.

Provides that when an elector moves from the address indicated on his voter registration records, or changes his name, he shall notify the office of the supervisor of elections in writing of such change and obtain a voter identification card reflecting the new residence address or the name change. Permits address and name changes to be made at times when the registration books are closed immediately preceding an election, with such changes to be effective at that election. When the books are closed for an election, registration and party changes shall be accepted for subsequent elections.

Specifies that electors may be temporarily removed from the registration books when any first class mail sent by the supervisor to an elector is returned as undeliverable. Such names shall not be removed until a diligent effort has been made by the supervisor to locate the electors.

Provides that the supervisor of elections may, if requested, provide a list that contains the name of those electors who have voted in any election or elections occurring more than sixty days before the request. Such lists may be furnished ony to: (a) courts for the purpose of jury selection; (b) municipalities; (c) other governmental agencies; (d) candidates, to further their candidacies; (e) registered political committees, registered committees of continuous existence, and political parties or officials thereof, for political purposes only; and (f) incumbent officeholders to report to their constituents.

Provides that within ten days after there is any change in the division, number or boundaries of the election precincts, or the location of the polling places, the supervisor shall make in writing an accurate description of any new or altered election precincts, setting forth the boundary lines thereof, so as to designate accurately the limits of each precinct. The supervisor of elections shall at the same time name, clearly define, and describe in writing the polling place which the supervisor has established in each new or altered election precinct or in any precinct in which the supervisor may have changed the polling place. The supervisor shall publish the change once in a newspaper of general circulation in the county and shall post a plainly written or printed copy at the courthouse in a conspicuous place.

SB 1174, Chapter 80-333, Approved 7/2/80

States that the governor may suspend from office an elected or appointed public official who is indicted or informed against for commission of any felony or misdemeanor arising out of his official conduct or duties and may fill the office for the period of suspension by appointment.

Requires that the suspended public official not perform any official act, duty, function or receive any pay, allowance, emoluments or privileges of the office.

Provides that a public official may be removed from office by the executive order of the governor if convicted. Any person who pleads guilty, nolo contendere or is found guilty shall be deemed to have been convicted notwithstanding suspension of sentence or the withholding of adjudication. However, if acquitted, found not guilty or the charges are dismissed, the governor shall revoke the suspension and the public official shall be entitled to full back pay and other emoluments or allowances to which he would have been entitled had he not been suspended.

Provides that any officer suspended by the governor and not removed by the senate because of failure to prove the charges shall be reinstated and the legislature may provide for the payment of reasonable attorney's fees and costs or the back pay and emoluments of office from the date of suspension to the date of reinstatement, from general revenue funds.

HB 63, Chapter 189, Approved 6/25/80

Provides that the board of county commissioners in each county may alter or create new districts or precincts. The supervisor shall designate a polling place at a suitable location within each precinct.

FLORIDA CONT'D

Requires that within ten days after there is any change in the division, number, or boundaries of the election precincts, or the location of the polling places, the supervisor of elections shall make in writing an accurate description of the new boundary lines of any new or altered precincts and a description of each polling place established. These changes shall be published once in a newspaper of general circulation in the county and be posted in a conspicuous place at the courthouse.

Specifies that when a polling place is unavailable or inadequate, the supervisor may, not less than thirty (formerly sixty) days prior to such election, provide that the polling place be moved. Notice of the change of the polling place shall be given not more than thirty nor less than seven (formerly twenty) days prior to the election. Notice of the change of the polling place shall be mailed to each registered elector at least fourteen days prior to an election.

HB 191, Chapter 80-264, Approved 6/30/80

States that no person shall serve as an inspector, clerk or deputy sheriff for an election unless such person has completed the required training class. Vacancies may be filled by the supervisor on election day by appointing persons who have attended previous training classes conducted within two years of the election.

HB 536, Chapter 80-305, Approved 7/2/80

Provides that the language of constitutional amendments or other public measures must be printed in clear and unambiguous language and that the effect of an affirmative or negative vote be made clear.

Specifies that the ballot title cannot exceed fifteen words and that the substance of the amendment cannot exceed seventy-five words.

Provides that the designating numbers of amendments will be assigned in the order of the filing or certification of the amendments.

HB 1411, Chapter 207, Approved 6/25/80

Repeals the provision of the election code that prohibited officers and employees under the state merit system employed by state agencies that receive federal funds from being eligible to hold party office or membership on any county or state executive committee. Authorizes employees in the career service to hold political party offices. Declares that an officer or employee of the state or any political subdivision may also serve as a member of the state executive committee or county executive committee of a political party. Specifies that no person shall be required to resign from his public office or employment, nor shall any person be fired or removed from such public office or employment, because of membership on such a committee prior to the effective date of this act.

GEORGIA

SB 433, Act 1090, Approved 3/24/80

Provides that each principal of every public or private high school or his designee and the director of each area vocational school or his designee shall be a deputy registrar for the purpose of registering qualified applicants enrolled in or employed by the school. The powers of the deputy registrar should be explained and procedures set up to enable students who are qualified applicants to register.

Specifies that electors disqualified to vote because they have not voted in the preceding three years in at least one general, special or primary election shall be given notice within ten days of the purge by first class mail and shall be given twenty days from the removal date to request in writing a continuance of their registration.

Provides that if there is no opposing candidate then no name shall appear on the general or special election ballot unless a write-in candidate has otherwise qualified. Provides also that no election shall be conducted in an election district in which there are no opposed candidates, no eligible write-in candidates and no issues to be submitted to the electorate. And if no election is to be held, the municipality shall provide notice to inform the affected electorate that no election is to be conducted. The superintendent shall then certify the unopposed candidate.

States that if there are two or more candidates with the same or similar names for the same nomination or office, the official with whom the candidates qualified shall determine whether the names of the candidates are of such similar nature as to warrant printing the residences of all candidates for such nomination or office on the ballot.

SB 606, Act 1210, Approved 3/26/80

Changes the population brackets for counties where a board of registration and election must be established from not less than 200,000 and not nore than 600,000 to not less than 350,000 and not more than 600,000.

HB 51, Act 890, Approved 3/20/80

States that when the titles of offices are arranged horizontally on voting machines, the names of all candidates for the same offices shall be within the same vertical lines.

HB 1030, Act 676, Approved 2/1/80

Creates in each county in the state having a population of between 11,340 and 11,390 a board of elections. Provides rules governing the appointment of the three members of the board of elections in each such county.

GEORGIA CONT'D

Specifies that no person who holds an elective public office or who qualifies as a candidate for an elective public office is eligible to serve as a member of the board of elections.

Requires the governing authority of the county to certify the appointment of each member of the board with the clerk of the superior court at least fifteen days prior to the date the member is to take office. The certification shall be made by the clerk to the secretary of state within the same time and in the same manner as for registrars.

States that if a vacancy occurs, by removal, death, resignation or otherwise, in the office of any appointed member before his term expires a successor shall be appointed by the original appointing body. Certification shall be made in the same manner as the regular appointment of members.

Requires that each member of the board of elections take the oath as required for registrars before entering his duties.

Specifies that the board shall be responsible for the selection, appointment and training of poll workers in elections. The selection of workers shall be made from lists provided by the county executive committee of each political party.

Relieves the judge of the probate court from all powers and duties to which the board of elections succeeds.

Provides that the chairman of the board of elections shall supervise, direct and control the administration of the board of elections.

HB 1092, Act 674, Approved 1/31/80

Provides that the secretary of state and the selection committee when preparing and publishing the list of names of potential presidential candidates for inclusion on the primary ballots are not to include the name of any potential presidential candidate who, if elected to the office, would be ineligible under the Constitution and laws of the United States to serve in that capacity.

HB 1144, Act 980, Approved 3/20/80

Provides, among other already included instances, that whenever any person elected to public office fails validly to take that office, the authority with whom the candidates for such nomination or office filed their notice of candidacy must call a special primary or election to fill such position.

HB 1249, Act 995, Approved 3/20/80

See Section II for a summary of this law.

GEORGIA CONT'D

HB 1407, Act 722, Approved 3/5/80

Requires that every candidate for federal and state office, except for the office of justice of the peace, certified by the state executive committee or filing a notice of candidacy shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the secretary of state may challenge the qualifications of any candidate. Within two days after the deadline for qualifying, any eligible voter may challenge the qualifications of any candidate by filing a written complaint with the secretary of state giving the reasons why he believes the candidate is not qualified. The candidate shall be notified in writing that his qualifications are being challenged and of the reasons for the challenge and the candidate shall be informed of the date, time and place of the hearing. The secretary shall then determine if the candidate is qualified to seek and hold office. If it is determined the candidate is not qualified, his name shall be withheld or stricken from the ballot.

Provides that the candidate or elector may appeal the decision of the secretary of state by filing a petition in the superior court having proper jurisdiction.

Requires that every candidate for county office and office of justice of the peace filing a notice of candidacy or certified by the county executive committee of a political party shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the superintendent may challenge the qualifications of any candidate. Within two days after the deadline for qualifying, any eligible voter may challenge the qualifications of any candidate by filing a written complaint with the superintendent giving the reasons why he believes the candidate is not qualified. The candidate shall then be notified in writing that his qualifications are being challenged and of the reasons for the challenge and he shall be informed of the date, time and place of the hearing. The superintendent shall then determine if the candidate is qualified to seek and hold office. If it is determined that the candidate is not qualified, his name shall be withheld or stricken from the ballot.

Provides that the candidate or elector may appeal the decision of the superintendent by filing a petition in the superior court having proper jurisdiction.

HB 1408, Act 723, Approved 3/5/80

States that every candidate for municipal office certified by a municipal executive committee of a political party and candidates filing a notice of candidacy shall meet the constitutional and statutory qualifications for holding the office being sought.

Provides that the superintendent may challenge the qualifications of any candidate.

GEORGIA CONT'D

States that within two days after the deadline for qualifying, any elector who is eligible to vote for a candidate may challenge the qualifications of the candidate by filing a written complaint with the superintendent giving the reasons why the elector believes the candidate is not qualified to hold the public office being sought. The superintendent shall notify the candidate in wrtiting that his qualifications are being challenged and of the reasons and inform the candidate of the date, time and place of the hearing. The superintendent shall then determine if the candidate is qualified to seek public office. If it is determined that the candidate is not qualified, the candidate's name shall be withheld or stricken from the ballot if the ballots have been printed.

States that the candidate or the elector filing the challenge shall have the right to appeal the decision of the superintendent by filing a petition in the superior court having jurisdiction.

HB 1640, Act 1346, Approved 4/1/80

Amends the "Public Officers Recall Act." Defines "official sponsors" as the electors who file an application for a recall petition who are registered and eligible to vote in the recall election and who reside in the electoral district of the officer sought to be recalled.

Provides that the application for recall petition must include, among other items, the printed names and signatures of the official sponsors, the date signed, residence addresses and the name of the county of residence.

Provides that the official application forms must be printed in the form prescribed in this act by the office of the secretary of state and distributed to election superintendents.

Provides that the number of official sponsors necessary to file an application for a recall petition must be equal to at least 100 electors or equal in number to at least ten percent of the nubmer of electors who were registered to vote at the last preceding general election for that specific office, whichever is smaller.

Provides that an elector who has signed an application for recall petition may request withdrawal of his signature any time prior to the date the election superintendent receives the application. Specifies the prodecures that must be followed for a signature withdrawal to be made.

Provides that the election superintendent is granted unrestricted authority to examine the registration records maintained by the board of registrars for the purpose of determining the legal sufficiency of a recall petition application. Provides that the election superintendent must certify the legal sufficiency or insufficiency of the application within five working days after receiving it. Specifies the filing and issuing procedures to be followed after the application is certified to be legally sufficient.

GEORGIA CONT'D

Provides that the election superintendent is responsible for determining the legal sufficiency of a recall petition within thirty days after it has been submitted. Provides if the superintendent is not able to reasonably ascertain that any signature is that of a qualified elector, such signature will not be counted.

Provides that no application for recall petition or recall petition can be amended, supplemented, or returned after it has been accepted by the election superintendent for verification.

Amends the recall petition forms. Specifies what information is to be included on a recall petition and the order and style in which it must be included. Changes the information required on the affidavit of the circulator of the recall petition. Provides that no employee of the state can circulate a recall petition.

HAWAII

SB 3146, Act 246, Approved 6/10/80

See Section II for a summary of this law.

HB 2161, Act 247, Approved 6/10/80

Deletes the authorization for the chief election officer or clerk to use discretionary judgment about including the name of a substitute candidate on the ballot after the deadline for filing.

Requires that whenever any vacancy in the state senate occurs the governor must appoint someone of the same political party or nonpartisanship as the person he succeeds.

Provides that nominations to fill vacancies in the state senate in which the term of office does not end at the next general election may be filed not later than the thirtieth day before the primary provided that: (1) the vacancy occurs during the period from nine days before the filing deadline for the next primary to thirty days before the primary; or (2) there are no qualified candidates for any party or nonpartisan candidates qualified for the primary ballot. Provides that the governor will make a temporary appointment to fill the vacancy until the vacancy is filled in an election.

Provides that a vacancy that occurs in the state senate in which the term of office does not end at the next general election will be filled for the unexpired term at the next succeeding general election provided that: (1) the vacancy occurs at least twenty-nine days before the next primary but not later than thirty days before the next general election; (2) there are no qualified candidates for any party or nonpartisan candidates in the primary. Provides that all party candidates will be nominated not later than thirty days before the general election; non-partisan candidates may file nomination papers not later than thirty days before the general election with the nonpartisan candidate who is to be nominated to be decided by lot, under the supervision of the chief election officer.

HB 2162, Act 248, Approved 6/10/80

Provides that any voter may cast an absentee ballot when confined to his home because of illness, infirmity or physical disability.

States that when granting a request for an absentee ballot the clerk may waive any or all requirements in special cases as provided in the rules adopted by the chief election officer.

Requires the clerk to provide the absentee voter with the ballots, ballot envelopes and a return envelope.

States that absentee ballot boxes shall be provided for the purpose of depositing the return and ballot envelopes of those who vote in person at the absentee polling place.

Provides that return envelopes may be delivered other than by mail to the regular polling place at which the voter is registered and deposited by a precinct official in the ballot box before the closing of the polls on election day. These return envelopes need not be time-stamped.

HB 2167, Act 264, Approved 6/13/80

States that every person who is eighteen years of age or who is seventeen years of age and will be eighteen by the date of the next election, may register for that election if otherwise qualified.

Requires the chief election officer or clerk to have informational posters printed containing facsimile ballots which depict the official ballots to be used in the election. Precinct officials shall display the posters near the entrance to the polling place where they may be easily seen by the voters prior to voting.

States that a sufficient number of absentee ballots shall be delivered to each clerk no later than 4:30 p.m. on the fifteenth (formerly tenth) day prior to the date of any election.

Provides that a map designating an area of one thousand feet in radius around the polling place shall be posted in a conspicuous place prior to the opening of the polls. Any person who loiters within this area for the purpose of campaigning shall be guilty of a misdemeanor.

States that suitable ballot boxes shall be provided by the chief election officer for each polling place. The boxes shall have a hinged lid fastened by a nonreusable seal.

Provides that in precincts where an electronic voting system is used, ballot boxes shall not be opened at the polling place except on the island of Niihau.

Provides that voted ballots may be collected before the closing of the polls, in order to facilitate the counting, provided that the ballots are returned in sealed ballot boxes.

States that if a voter spoils a ballot, he may obtain another upon returning the spoiled ballot. However, before returning the spoiled ballot, the voter shall mark additional choices on the ballot to retain the secrecy of his vote. The returned ballot shall be cancelled and signed and the voter shall be issued a new ballot.

Provides that after the expiration of the time for bringing an election contest, the chief election officer or county clerk (in county elections) shall compile, certify and release the election results.

Specifies that no voting machine shall be installed for use in any election unless it will lock out all rows except those of the party or nonpartisan candidates selected by the voter.

States that counting center employees shall prepare absentee ballots, in the presence of at least two official observers, for counting by automatic tabulating equipment in a manner that shall accurately reflect the votes cast by the absentee voters.

Makes various other minor and technical changes.

HB 2265, Act 198, Approved 5/31/80

Provides that when the clerk receives information from the department of health which could result in disqualifying a citizen from voting (such as information dealing with adjudication as a incapacitated person, a mentally retarded person or a mentally ill person) an investigation must be conducted until that information is proven or disproved. Provides that the clerk must remove the name of the person from the register if the investigation reveals among other things that the person is incapacitated to the extent that he or she lacks sufficient understanding or capacity to make or communicate responsible decisions concerning voting.

HB 2809, Act 136, Approved 5/27/80

Provides that in the event of a natural disaster (flood, tsunami, earthquake, volcanic eruption, high wind) occuring more than five days before an election which makes a precinct inaccessible, the chief election officer or county clerk (in county elections) may consolidate precincts within a representative district. The chief election officer or county clerk must give notice of the consolidation in a general circulation newspaper in the affected county before opening the precinct polling place as well as by giving notice through the radio and other broadcast media.

HB 2810, Act 137, Approved 5/27/80

Provides that any registered voter may challenge the right of a person to be or to remain registered as a voter in any precinct for any cause not previously decided by the board of registration or the supreme court regarding that same person. In an election of members of the board of trustees of the office of Hawaiian affairs the voter making the challenge must be registered to vote in that election.

HAWAII CONT'D

Provides that any voter who is rightfully in the polling place may challenge the right to vote of any person who is attempting to vote on the grounds that the voter is not the person he or she alleges to be or that the voter is not entitled to vote in that precinct. Provides that only in an election of members of the board of trustees of the office of Hawaiian affairs a person registered to vote in that election may also challenge on the grounds that the voter is not Hawaiian.

HB 2845, Act 139, Approved 5/27/80

Repeals the three month residency requirement for a candidate for any primary election.

IDAHO

HB 377, Chapter 271, Approved 3/31/80

States that each county clerk may appoint one or more registrars at-large for the county in addition to the appointment of the registrar for each precinct.

HB 382, Approved 3/28/80

See Section II for a summary of this law.

HB 660, Chapter 236, Approved 3/28/80

Provides that state conventions of political parties shall be held during the final two weeks of the month of June of each election year.

SJR 112, Adopted 3/3/80

Proposes an amendment to the constitution of the state of Idaho which, if adopted, would delete the requirement that an initiative be approved by a majority of the votes cast for governor and to allow an initiative measure to be placed on the ballot at any general election.

ILLINOIS

SB 1510, Act 81-1441, Approved 9/4/80

Provides that if a vacancy exists on the board of trustees and is not filled within 120 days, a qualified person may be selected to fill the vacancy until the expiration of that term.

States that if, in counties having a population of more than 3,000,000 and townships having a population of more than 15,000 in counties with a population of 3,000,000 or less, the township central committee of a political party determines that its candidates for township offices shall be nominated by primary, a statement of such determination must be filed with the county clerk no later than November 15 preceding the township election.

States that in a township with a population of 25,000 or more in counties with a population of less than 3,000,000 and beginning in 1985, in counties with a population of 3,000,000 or more, no person is eligible to file nomination papers or participate as a candidate in any primary or general election for the office of township or multi-township assessor nor take on the duties of such office unless he possesses specified qualifications.

HB 2917, Act 81-1489, Approved 9/19/80

NOTE: According to the Illinois Legislative Reference Bureau, this act does not make substantive changes in the election law.

Effects the revision of the laws in relation to referenda to conform to the statutory consolidation of elections. Relates generally to county and district referenda, making minor amendments in the language of the laws concerning submission of the measures to the electorate. For example, amends the procedure for a referendum ordered by the Waukegan port district board on levying a tax for corporate purposes. Specifies that if the board desires to levy a tax it shall order that the question be submitted at an election to be held within the district. Provides that the board shall certify the order and the question to the proper election officials, who shall submit the question to the voters at an election in accordance with the general election law. Also amends the procedure for a vote on the question of annexing areas to the Waukegan port district. Provides that a circuit court, upon receiving a petition from at least five percent of the legal voters resident within the limits of such proposed addition to the district, shall upon determining that the petition is legally sufficient, enter an order and the court clerk shall certify the order and the question to the proper election officials, who are to submit the question to the voters at an election in accordance with the general election law. States that in addition to the requirements of the general election law, notice of the referendum shall include a description of the area proposed to be annexed to the district.

HB 3229, Act 81-1433, Approved 9/3/80

Provides that notwithstanding the regular dates for election of federal, state and local officers, whenever a referendum is held for the establishment of a political subdivision whose officers are to be elected, the initial officers must be elected at the election at which such referendum is held if otherwise so provided by law. Provides that in such cases, the election of the initial officers will be subject to the referendum.

Provides that in most cases in which the election to an office is changed by the consolidation of elections, the term of any incumbent serving on December 1, 1980 is extended to the first Monday in the first month following the election of his or her successor.

Provides that the multi-township central committee (one of the authorized political party committees) will consist of the precinct committeemen of that party in the multi-township assessing district and will be organized for making nominations to the district.

Provides that nomination petitions of candidates which have been held invalid by the appropriate electoral board are subject to appeal.

Provides that the certification of candidates must comply with the requirements of any law adopted in accordance with certain articles of the Illinois Constitution prescribing specific provisions for nonpartisan elections.

Specifies that the following information, where applicable, must be indicated in the certification of candidates: (1) where there is to be more than one candidate elected to an office from a political subdivision or district; (2) where a voter may vote for more than one candidate for an office; (3) the terms of the office to be on the ballot in certain specified instances; and (4) residency requirement of candidate if it is not identical to the area from which the candidate is to be elected or nominated.

Provides that if a person's name was not printed on the primary ballot that person must receive write-in votes which are equal to or exceed the number of signatures required for that office on a petition for nomination, to successfully attain the nomination or election to that office.

States that in municipalities with a population of less than 5,000, minor political parties or groups may make one nomination for each office to be filled at any election by filing a certificate of nomination with the municipal clerk no later than sixty days before the election.

Requires that each election precinct be situated within a single legislative district insofar as is practicable.

Provides that a polling place will be established within a municipality for any consolidated primary or election at which municipal officers are to be elected or where any emergency referendum question relating to the municipality is to be voted on upon the request of the municipal council or board of trustees at least sixty days before the election if the municipality provides a suitable polling place.

Provides that in both counties not under the township organization and counties which are under the township organization, the county board of commissioners may appoint three judges of election instead of the usual five judges in the following situations: (1) an emergency referendum; (2) any odd-year regular election in precincts in which all voters vote for the same officers and propostions; (3) where there are no more than three hundred registered voters; and (4) any special primary or election to fill a vacancy or to nominate a candidate for the House of Representatives in the United States Congress. Provides that if only three judges are appointed no more than two persons of the same political party will be judges of election in the same election precinct.

Provides that no later than February 1, 1981, the election authority must conduct election judge training courses.

Specifies the form of ballots, such as the order in which various offices will be listed, in nonpartisan elections and consolidated primary elections.

Specifies that the municipal council or board of trustees has priority of access to the ballots and other election materials for a period of thirty days whenever an election contest for a municipal trustee or alderman is brought, and those ballots are subject to the jurisdiction of the circuit court because an election contest for another office is pending.

Provides that when an electronic voting system is used, a true and legible copy of the specimen ballot label as near as the same as will appear on the official ballot label on election day, must be published, made available for public distribution, and supplied to the judges of election for posting in the polling place on the day of election.

Provides that petitions for the submission of public questions to referendum must be filed with the appropriate officer or board not less than seventy-eight days prior to a regular election except that petitions for the submission of a public question to referendum to the voters of the entire state or which propose the creation or formation of a political subdivision must be filed not less than 108 days days prior to a regular election.

Provides that an affidavit be attached to a petition for the creation of a political subdivision attesting that at least 108 days and no more than 138 days before the election, a notice of intention to file the petition was published in a newspaper published or circulated within the proposed political subdivision. Provides that failure to file the affidavit or to publish the notice will render the petition and any referendum held, null and void.

Directs the county clerk to furnish, at their request and at reasonable cost, computer tapes, discs or other electronic data processing information containing voter registration information to political committees registered in compliance with the Illinois Campaign Finance Act or the Federal Election Campaign Act.

Provides that the county clerk shall conduct a verification of voter registrations at least once every two years to cancel the registration of unqualified voters. Specifies alternative methods in which this verification may be conducted.

Provides that within a specified period any person may withdraw his or her name from a petition for nomination or for committeeman or for delegate or alternate delegate to a national nominating convention. Provides that the request for name withdrawal must be acknowledged before an authorized officer and filed in the principal or permanent branch office of the state board of elections or with the county clerk.

Specifies to whom notifications are to be sent which announce the time and place of lotteries conducted to break ties of ballot placement when two or more petitions for nomination have been filed simultaneously.

Provides that a fair and impartial method of random selection will determine the order of placement on the general election ballot of the established political party candidates. Specifies that this selection will be public and specifies who must be given written notice of its occurrence.

Provides that the secretary of state must deliver filed petitions to amend art. IV of the constitution of Illinois to the state board of elections as soon as practicable, but no later than the close of the next business day.

Specifies how vacancies will be filled upon the death or refusal of nomination of a candidate.

Specifies that in certain elections the candidates of new political parties will be placed on the ballot after the established political party candidates and in the order of petition filing.

Provides that when a city, village or certain incorporated town is divided into election precincts, they will be situated within a single legislative district insofar as is practicable.

Specifies that certain disabled voters may secure disabled voters' or nursing home residents' identification cards which will enable them to vote as physically incapacitated voters without the necessity of their applications for ballots being accompanied by attending physician affidavits. Specifies when and under what conditions elections involving disabled voters will be conducted.

Specifies how ballot boxes will be secured after an election and the procedures to be followed for counting and tabulating the votes.

INDIANA

SB 14, Approved 3/3/80

Provides that the state and county election board shall include on the ballot the names of candidates nominated by the conventions of any party that cast one half of one percent before January 1, 1983, or two percent after December 31, 1982, of the total vote cast at the last preceding general election.

Provides that the state and county election board shall include on the ballot the names of candidates for the following offices when petitioned by a number of voters equal to one half of one percent before January 1, 1983, or two percent after December 31, 1982, of the total vote cast in the relevant governmental unit, for the secretary of state in the last general election: 1) state officer; 2) representative in Congress; 3) county officer, member of the general assembly, circuit judge, prosecuting attorney; and 4) officer of a township, ward, or division less than a county.

Specifies when and with whom nomination petitions must be filed so that a candidate's name may be included on the ballot.

Outlines the procedures when filling vacancies in office. Provides that only those members of the respective central committee entitled to vote at a primary, general, city or town election for the office to be filled will be eligible to participate in the filling of candidate vacancies. If no member of the committee is eligible to participate in the filling of a town vacancy, the chairman must appoint a registered voter of the town who will appoint a person to fill the vacancy. No one may be selected to fill a vacancy unless his or her written consent is obtained and duly filed in the appropriate office. If a vacancy exists because a tie vote occurred for an office in a primary election, the committee responsible for filling the vacancy must select one of the candidates for that office who was on the ballot of the party filling the vacancy. Describes in detail how a vacancy is to be filled in a town where a candidate vacancy occurs due to the withdrawal of a candidate who had been placed on the ballot through petition.

Provides that a qualified elector may vote before an absent voter's board by absent voter's ballot not more than thrity days nor later than noon on the Monday immediately preceding the election.

SB 108, Approved 2/27/80

Specifies that county commissioners may not change an existing precinct or establish a new precinct during the periods of time beginning immediately after December 31, 1989, and December 31, of each subsequent tenth year and ending May 1, 1992, May 1 of each subsequent tenth year, or the earliest date after the beginning of each period when legislation apportioning the entire state into districts for the election of members of the Indiana general assembly and the House of Representatives is passed and becomes effective, whichever is earlier.

SB 187, Approved 2/27/80

Repeals the reorganization of the election precinct provision which required the state election board to reapportion election precincts if the county commissioners had not reorganized these precincts when necessary because of reapportionment of the members of the general assembly or redistricting of members of the United States Congress prior to the March 1 primary elections or the September 1 general elections.

SB 320, Approved 3/28/80

Includes towns among those political units for which the county election board has the power to conduct elections.

Provides that the chief law enforcement officer of the city or town in city or town elections will serve all processes issued by the board.

Deletes the section which specified requirements which might apply to registered voters in town elections. Provides that the requirements for registration of voters in towns are the same as for voters in all other political units in the state.

Provides that candidates whose nominations have been certified and who wish to resign from such ticket, must do so not later than noon on August 22 immediately preceding a city or town election or forty-five days preceding a special election.

Provides that the time for holding elections for all elective officers in all cities and towns and applicable cities and towns in which the boards of school commissioners or boards of school trustees are elected will be the first Tuesday after the first Monday in November in 1983.

Provides that primary elections to nominate candidates for all elective city and town officers will be held in every city and town of the state on the first Tuesday after the first Monday in May in 1983 and every four years thereafter.

Specifies that a town having a population of less than 3,000 may not hold a primary but that candidates will be nominated by convention.

Requires that two political committees of the major political parties be formed in towns having a population of 3,000 or more which will be composed of members of the county committee in which the town in located, representing precincts situated in whole or in part in the town, and its duly elected or appointed officers. Specifies the organizational and administrative procedures of such a committee and dates when conventions must be called.

Deletes the section detailing special requirements for city or town primary

elections and specifies that city and town primaries will be governed in the same manner as primaries in all other political units in the state.

Amends the section governing the procedure to be followed when a town elects to change into a city.

Provides that when certain specified conditions are met, a county executive may adopt an ordinance incorporating the town. Specifies the provisions which must be included in the ordinance, such as: 1) division of the town into not less than three nor more than seven districts that must be composed of contiguous territory, be reasonably compact, and be as nearly as is possible of equal population; and 2) specification of when an election must be held in the town.

SB 456, Approved 2/27/80

Requires the clerk of the circuit court to furnish the secretary of state with a list of the candidates nominated in any primary election including the names, addresses and the U.S. congressional district in which each candidate resides.

Provides that the clerk of the circuit court must state the number of votes received by each candidate in each U.S. congressional district located within the county in the returns he is required to send to the secretary of state the day after a primary election is held.

HB 1073, Approved 3/3/80

Deletes the stipulation that no election will be held for any city or town elected officer if only one candidate runs for the office.

Provides that if it is necessary to conduct an election for any office for which there is only one candidate running, if there is an election for any office whatsoever in the city or town, then all nominees for every office will appear on the election ballot.

IOWA

SB 2235, Approved 4/14/80

Provides that any person residing outside the United States but who was a resident in the state meeting all voting qualifications except age immediately prior to departure from the United States, has the right to register and to vote as if he or she were a resident of a precinct in the state if the person: (1) has complied with appplicable requirements concerning absentee registration and voting by absentee ballot; (2) does not maintain a domicile, is not registered to vote, and is not voting in any other state; and (3) has a valid passport or card of identity and registration issued under the authority of the Secretary of State of the United States or certain other forms of identification.

HB 707, Approved 5/19/80

Provides that the legislative service bureau shall acquire appropriate information, review and evaluate available facilities and develop programs and procedures in preparation for drawing congressional and legislative redistricting plans on the basis of each federal census. States that by December 31 of each year ending in zero, the legislative service bureau shall obtain information regarding geographic political units in the state for which federal census population data has been gathered and will be tabulated. The data shall be used to prepare the necessary descriptions of geographic and political units for which census data will be reported and which are suitable for use as components of legislative districts. The data shall also be used to prepare maps of counties, cities and other geographic units within the state which may be used to illustrate the locations of legislative district boundaries proposed.

Provides that a population figure based upon certified federal census data shall be assigned to each geographic or political unit. The legislative service bureau shall then begin preparation of congressional and legislative districting plans.

Specifies that not later than April 1 of each year ending in one, the legislative service bureau shall deliver identical bills containing a plan of legislative and congressional districting to the secretary of the senate and the clerk of the house of representatives to be approved.

States that if population data from the federal census becomes available at an earlier time than the population data needed to permit preparation of a legislative districting plan, the presiding officers of the senate and house of representatives shall be notified and if they so direct, the legislative service bureau shall prepare and submit a bill establishing congressional districts separately from the bills establishing legislative districts. However, if the population data for legislative districting is not available on or before February 1 of the year ending in one, the dates shall be extended by a number of days equal to the number of days after February 1 that the population data becomes available.

IOWA CONT'D

Provides that senate, representative and congressional districts shall have a population determined by dividing the number of districts to be established into the population of the state as reported in the federal decennial census.

States that no district shall be drawn for the purpose of favoring a political party, incumbent legislator or member of Congress, other persons or groups or for the purpose of augmenting or diluting the voting strength of a language or racial minority group.

Provides that a five-member temporary redistricting advisory commission shall be established no later than February 15 of each year ending in one.

Defines various terms used in the act.

KANSAS

SB 641, Approved 5/7/80

NOTE: The provisions of this law relating to campaign financing are summarized in section II.

Makes minor amendments to provisions relating to application for an absentee ballot. Specifies that no person is prohibited from mailing, carrying, or otherwise conveying absentee ballots to the county election officer upon the request of absentee voters.

Provides that when a registered voter changes his name by marriage, divorce, or legal proceeding, he must re-register in order to be eligible to vote, except that when a registered voter legally changes name during the period of thirty days preceding an election (formerly, during the period when the registration books are closed preceding an election), the voter shall be allowed to vote at that election if he first gives an affidavit to the election judges stating the facts concerning the change of name.

States that when a registered voter changes residence, he must re-register in order to be eligible to vote, except that when a registered voter changes residence from one place in a precinct to another place within the same precinct during the period of thirty days preceding an election (formerly, during the period when the registration books are closed preceding an election), the voter shall be permitted to vote at that election if he first gives an affidavit to the election judges stating the facts relevant to such change of residence.

SB 863, Approved 3/18/80

Includes "because of religious belief or practice" as one of the reasons an elector may choose to vote an absentee ballot on all offices, other than precinct committeeman or comitteewoman.

SB 864, Approved 5/7/80

Modifies the definition of "election forgery" to include the marking of any other person's ballot without such person's consent and the marking of any other person's ballot contrary to the direction of such person.

HB 319, Approved 4/16/80

Specifies that no local officer who has been recalled or who has resigned after a petition for recall has been filed, shall be eligible for appointment to fill the vacancy. If the officer is a member of a governing body, the person resigning shall be ineligible for appointment to any other position or office on the governing body until the current term of office has expired.

KANSAS CONT'D

HB 2961, Approved 4/8/80

States that the board of county commissioners and the county election officer of any county may provide an electronic or electromechanical voting system to be used in elections at county voting places.

Provides that any county in which the county election officer and the board of county commissioners have determined than an electronic or electromechanical voting system shall be used or in which a proposition to use an electronic or electromechanical voting system has been adopted, may issue bonds with which to finance and pay for purchase, lease or rental of such system.

Specifies that whenever the secretary of state rescinds approval of any voting system, the board of county commissioners and county election officers shall abandon the system until changes required by the secretary of state have been made. However, if the secretary of state advises that acceptable changes cannot be made, abandonment shall be permanent.

HB 2964, Approved 4/17/80

Provides that persons may apply for an application to register to vote by telephoning the county election officer as well as by applying in person or in writing.

Provides that the county election officer must remove a voter's name from the registration book whenever any of the following occur: 1) an obituary notice appearing in the county newspaper reports the death of a registered voter; 2) a registered voter requests in writing that such voter's name be removed from registration; 3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists; 4) the name of a registered voter appears on a list of deceased residents compiled by the secretary of health; or 5) a registered voter fails to vote in two consecutive state general elections.

Provides that the county election officer must not use or permit the use of the list of deceased residents for any other purpose.

Provides that meetings of the county central committee will be called by the county chairperson or by any other officer of the county central committee by mailing a notice of the meeting to each precinct committeeman and precinct committeewoman at least seven days before the date of the meeting.

Provides that meetings of the district party committee will be called by the district chairperson or district vice-chairperson by mailing a notice of such meeting to each member and alternate member of the district committee at least ten days before the date of the meeting.

KANSAS CONT'D

Provides that the meetings of the state committee of each party will be called by the state party chairperson or the state party vice-chairperson by mailing a notice to each member and alternate member of the state committee at least ten days before the date of the meeting.

Provides that meetings of city party committees for the purpose of organization will be called by the chairperson by mailing notice of such meeting to each precinct committeeman and precinct commmitteewoman at least seven days before the meeting.

KENTUCKY

SB 11, Approved 4/3/80

Provides that in the following instances officials must use certified mail, return receipt requested, repealing the option to use registered mail for notificaion: by the county board of election of its selection of a committee to nominate inspectors and challengers to serve at an election on a constitutional amendment or public question; by the secretary of state or the county clerk to the candidate who has filed erroneous nomination papers; by the secretary of state to persons whose names will appear as candidates at the Kentucky presidential primary; by the secretary of state to the county boards of election commissioners in the counties involved in election contests on any constitutional convention or amendment or statewide public question; of a candidate of the death, resignation or removal from office of the campaign treasurer.

SB 33, Approved 4/3/80

Specifies that the state board of elections (formerly the county clerk) shall prepare and issue a registration notification card to each elector registered after July 1, 1976.

States that at the time of reregistration each elector shall surrender any registration card in his possession to the county clerk and the state board of elections (formerly the county clerk) shall issue a new card. The state board of elections shall also issue a new card to any elector who loses his registration card and applies to the county clerk for a new one.

SB 366, Approved 4/9/80

See Section II for a summary of this law.

HB 24, Approved 4/3/80

Requires that the county clerk provide voter registration forms to each principal or assistant principal of every public high school, each vocational school, and upon request, private schools. A person in each school shall be designated as responsible for informing students and school personnel of the availability of the registration forms and assist them in registering with the party of their choice. The completed forms shall be returned to the county clerk for official registration.

HB 26, Approved 3/4/80

Specifies that after the polls are closed the sheriff and the judge from the opposite political party shall return the locked ballot box, all ballot stubs, spoiled ballots and unused ballots to the county clerk's office at the same time as the tabulation of votes from the voting machine is delivered.

HB 27, Approved 3/4/80

Provides that the county boards of elections must maintain the current boundaries of election precincts.

Specifies that if any county board of elections fails to perform the duties implicit in the maintenance of the current precinct boundaries, then the state board of elections must apply to the ciruit court of the county for a summary mandatory order requiring the county board to perform this duty.

Provides that this act will be repealed upon the termination of the 1982 regular session of the general assembly or upon the termination of any extraordinary session of the general assembly which enacts reapportionment and redistricting legislation, whichever occurs earlier.

HB 140, Approved 4/9/80

States that any qualified voter who will be absent from his or her county on any election day or any person incarcerated that has been charged with a crime but has not been convicted of said crime, may apply in person or by mail to the county clerk, not less than seven days before the election, for a special ballot. Such application shall be restricted to the use of the voter, the voter's spouse, the voter's parents or the voter's children.

HB 324, Approved 4/2/80

Provides that no person shall have his name printed on the regular election ballot for the office of mayor or commissioner without first being nominated.

States that write-in voting shall be permitted at the regular election. The nominee or write-in candidate and the four nominees or write-in candidates receiving the greatest number of votes shall be elected mayor and commissioners, respectively.

HB 340, Approved 4/3/80

Provides that prior to each primary election the county board of elections must review the boundaries of all election precincts where more than 700 votes were cast in the last regular election.

KENTUCKY CONT'D

Provides that the county board of elections must not be prohibited from dividing election precincts regardless of the number of votes cast in that precinct in the last regular election.

HB 353, Approved 3/28/80

Specifies that the county board of elections shall make every reasonable effort to designate voting places which are accessible to all eligible voters, including the elderly and the physically handicapped.

HB 438, Approved 4/3/80

Provides that political parties must select one of the alternate methods listed for distributing a pro rata portion of authorized delegate votes among party candidates for President.

LOUISIANA

SB 179, Act 43, Approved 6/5/80

Includes the three days preceding Easter in the list of holidays on which no election can be held. Provides that if the date of any election falls on any of the days included in this holiday list, the election will be held on the same weekday of the preceding week.

Adjusts the qualifying period for candidates in the primary election in those cases where the primary election date must be changed.

SB 329, Act 506, Approved 7/20/80

States that any contract for the lease of any building, or portion therof, for the storage of voting machines shall be awarded to the lowest bidder.

Provides that the registrar shall be responsible for conducting absentee voting in the parish he serves.

Provides that when the governing authority of a parish or municipality renames a street or road, assigns a name to a previously unnamed street or road, reassigns numbers of buildings or lots on a street or road, or assigns numbers to previously unnumbered buildings or lots on a street or road, the governing authority shall submit a certified report of such action to the registrar of voters of the parish. The registrar may then change the registration record of each voter affected by such action of the governing authority. Notice of such change shall be mailed to the voter no later than ten days after the change is made.

States that the office of the district attorney in a parish in which an election is being conducted shall remain open the same hours as the polling places are required to be open.

Requires an examination to be given after an applicant completes the courses of instruction for certification for commissioners-in-charge, commissioners, or alternate commissioners for the election.

Specifies that a registrant who changes his residence from one precinct to another or from one parish to another shall retain the right to vote in the precinct or parish from which he moved until he registers in the precinct or parish to which he has moved or until three months after he has moved, whichever comes first.

Provides that when it is necessary to use private property as a polling place, the payment shall not exceed $100 (formerly $50) for each election. The governing authority shall enter into a written lease for such property. Such lease shall be recorded in the office of the clerk of court for the parish where the property is located and shall be posted in the office of the registrar of voters.

Provides that a precinct or the location of a polling place shall not be changed beginning on the date the qualifying period opens and ending on the date of the general election.

Specifies that when the location of a polling place is changed, an employer of the parish governing authority shall be stationed at the former polling place to direct voters to the new location of the polling place.

States that the voting machines used in a primary or general election shall remain locked and sealed until the second (formerly third) day after the election. On the first (formerly second) day after the election the clerk of court shall post in his office notice of the time and place where voting machines will be opened.

Specifies the procedures to be followed when compiling election results.

Provides that any person who has voted by absentee ballot either by mail or in person shall not vote in person at the polls on election day.

Specifies the procedures to be followed in absentee voting and the tabulation and counting of ballots.

States that an action contesting any election shall be instituted within seven (formerly five) days after the date of the election. States also that no such contest shall be declared moot because of the performance or nonperformance of a ministerial function.

Specifies the procedures to be followed in election contests and election recounts.

Makes various other minor and technical changes.

SB 668, Act 786, Approved 7/31/80

See Section II for a summary of this law.

SB 720, Act 445, Approved 7/21/80

States that if the qualifying period for candidates in a primary election reopens within thirty days before a primary election all votes cast in the primary election are void if additional candidates qualify for the office. A notice shall then be published which includes the dates for the rescheduled primary and general elections.

SB 832, Act 792, Approved 8/1/80

Specifies that when an election is called to fill vacancies in specified offices, written notice of such election shall be transmitted to the secretary of state, commissioner of elections and each clerk of court and registrar of voters in the area affected by the election. Such notice shall be received by the secretary of state on or before the forty-fifth day prior to the election.

States that when a special primary election to fill a vacancy or anticipated vacancy in elective public office is called to be held at the same time as a previously scheduled general election, the commissioners who were selected to serve at the previously scheduled primary and general election shall also be the commissioners for the special primary and general elections. States also that each candidate may appoint one watcher for each precinct in which the candidate is to be voted on. Makes various other minor and technical changes.

SB 965, Act 450, Approved 7/21/80

Authorizes the governing authority of a parish with a population of less than 17,000 to call a special primary election to fill a vacancy that occurs in the office of the clerk of a district court after July 1, 1980 and prior to July 30, 1980, if the person elected fails to take such office.

HB 26, Act 675, Approved 7/24/80

Repeals sec. 1531 of t. 18, Louisiana Revised Statutes, which provision required the identification of the person or organization publishing or distributing campaign advertising concerning a candidate.

HB 403, Act 558, Approved 7/23/80

Amends and reenacts t. 14, sec. 119 of the Louisiana Revised Statutes. States that persons who commit the crime of bribery of voters shall be fined not more than $1,000 or imprisoned for not more than one year or both for the first offense. For the second or any succeeding offense the penalty shall be a fine of not more than $2,500, imprisonment for not more than five years, or both.

HB 558, Act 564, Approved 7/23/80

Specifies the procedures for establishing the Louisiana elections integrity commission. Also specifies the lengths of terms of office for members of the commission.

Prohibits a commission member from holding or becoming a candidate for any other public office.

Outlines the commission's duties and its power and authority in carrying out its responsibilities. Authorizes the commission to investigate any aspect (except campaign finance) of any election for governor, lieutenant governor, secretary of state, state treasurer, attorney general, commissioner of elections, commissioner of agriculture, commissioner of insurance, state superintendent of education, United States Senator or Congressman, public service commissioner, member of the state board of elementary and secondary education, and justice of the supreme court.

States that the commission may report annually, or at other appropriate times, any findings, observations or recommendations concerning elections which should be brought to the attention of the legislature.

HB 767, Act 810, Approved 8/1/80

Increases to a radius of 600 feet from the entrance to a polling place the area in which electioneering is prohibited.

HB 886, Act 681, Approved 7/24/80

Creates the State Board of Election Supervisors to be composed of the following persons: the secretary of state, the attorney general, the commissioner of elections, the president of the Clerks of Court Association, the president of the Registrars of Voters Association, and one member appointed by the governor selected from a nomination list submitted by presidents from selected Louisiana universities.

Provides that the board will have the following powers and duties pertaining to the various aspects of the electoral process: (1) to adopt, amend, and repeal rules and regulations; (2) to develop and distribute informational materials; (3) to conduct hearings; (4) to review election laws and procedures and to report to the legislature as required; (5) to prepare examinations for commissioners and commissioners-in-charge; (6) to employ an executive director, legal cousel, and such other personnel as the board deems necessary and appropriate; and (7) to exercise such other powers and duties as are necessary to effectuate the purposes of the board.

Provides that the board must develop and keep up to date, a detailed manual for the use of election officials throughout the state which contains the rules and regulations of the secretary of state, commissioner of elections and the board. Provides that this manual must be furnished to each registrar in the state and each other state and local official whose duties pertain to the electoral process.

Provides that the board must develop an informational pamphlet which contains instructions concerning the procedures to be used at the polls, counting and tabulating the votes, and transmitting the election returns and the other election records. This pamphlet will be used by commissioners-in-charge, commissioners, and watchers on election day.

HB 1249, Act 314, Approved 7/13/80

Provides that if local governmental subdivisions have home rule charters or are governed by constitutional provisions that provide for the filling of vacancies in local and municipal offices, such constitutional or home rule plan provisions will govern the filling of the vacancies.

HCR 24, Adopted 6/26/80

Requests the House and Senate Governmental Affairs Committees to establish themselves as a joint committee to study a state-wide voter registration system and its implementation.

MAINE

SB 694, Public Law 639, Approved 3/13/80

Repeals sec. 1064 of t. 21 of the Maine Revised Statutes which deals with the bond requirement of a municipality in purchasing any voting device.

HB 1638, Approved 3/14/80

Proposes amendments to the constitution of Maine which become effective if adopted by the voters at the next general November election.

Provides that if any act, bill, resolve or resolution has been suspended by petition, the governor shall give notice by proclamation of the time when the measure is to be voted on at the next statewide (formerly general) election, not less than sixty days after such proclamation. If there is no statewide election within six months, the governor may order such measure submitted at a special election not less than sixty days (formerly four months) nor more than six months after the proclamation. If the governor fails to order such measure submitted at the next statewide election, the secretary of state shall order such election.

States that the electors may propose any bill, resolve or resolution to the legislature by written petition filed with the secretary of stae by 5:00 p.m. on or before the fiftieth day after the legislature convenes in the first regular session or on or before the twenty-fifth day after the legislature convenes in the second regular session. If the fiftieth or twenty-fifth day is a Saturday, Sunday or legal holiday, the period runs until 5:00 p.m. of the next day which is not a Saturday, Sunday or legal holiday.

Provides that the governor shall order any measure proposed to the legislature, and not enacted by the legislature without change, referred to the people at an election (formerly a special election) in November of the year in which the petition is filed.

Defines statewide election for purposes of the constitutional provisions concerning initiative and the people's veto to mean any election held throughout the state on a particular day.

Substitutes the term "people's veto" for the term "referendum" in art. IV, pt. 3 of the constitution of the state of Maine.

HB 1647, Public Law 638, Approved 3/13/80

Provides that the announcement of the name of the person who makes or finances the expenditure for an advertisement concerning a candidate or a measure appearing on the ballot may be either oral or visual. (Previously, a verbal announcement was required.) Amends sec. 1394 and sec. 1416 of the Maine election code.

MAINE CONT'D

HB 1720, Adopted 2/28/80

Proposes an amendment to the Maine constitution to bring into conformance the year in which the state house and senate are apportioned. Provides that the legislature which shall convene in 1983 (formerly, 1984) and every tenth year thereafter shall cause the State to be divided into districts for the choice of a senator from each district, using the same method as provided in the constitution for apportionment of representative districts.

HB 1774, Public Law 734, Approved 4/4/80

Relates generally to conflicts of interest in the executive branch and to financial disclosure requirements for policy-making executive employees. Requires each executive employee (defined to mean an appointed or an elected executive employee) to annually file with the secretary of state a sworn and notarized statement of finances for the preceding calendar year. Declares that the statements that are filed are public records. Requires a statement to indicate: (1) the category or type of entity or economic activity that is the source of income to him, his spouse, or dependent children that exceeds $300 during the year; and (2) if he is an attorney, the major areas of practice, and if associated with a law firm, the major areas of the firm's practice. An elective executive employee shall file an initial report within thirty days of his election. An appointed executive employee is to file an initial report prior to confirmation by the legislature. Each executive employee is to file the annual report prior to the close of the second week of April, unless he has filed in initial or updating report during the preceding thirty days. Each executive employee whose income substantially changes shall file a report of that change within thirty days of the change.

MARYLAND

SB 198, Chapter 11, Approved 2/29/80

See Section II for a summary of this law.

SB 199, Approved 2/15/80

Allows a political party not entitled to nominate candidates for public office by primary election to elect delegates and alternates at a party convention to represent it at its national convention.

SB 200, Approved 2/15/80

Changes the time period during which a presidential candidate who has been nominated in a primary election may withdraw his nomination. Such a candidate must withdraw within eighteen days after the deadline for filing certificates of candidacy, i.e., within eighteen days before 9:00 p.m. on the Monday which is ten weeks or seventy days before the primary date.

SB 650, Chapter 328, Approved 5/6/80

Provides that the secretary of state shall publish the following once a week for two weeks immediately preceding the general election at which the questions will appear on the ballot in at least two newspapers of general circulation within each county or in one newspaper if only one is circulated in a county and in three newspapers published in the City of Baltimore: (1) the ballot title of each constitutional amendment and each referendum question and (2) a brief statement summarizing each amendment and each question prepared in clear and concise language by the department of legislative reference summarizing each amendment and each question and approved by the attorney general unless another statement is included in the text of a bill proposing a constitutional amendment. Each statement shall be forwarded to the secretary of state by the attorney general not later than the third Monday in August immediately preceding the general election.

Specifies that in the case of laws referred by the general assembly to the voters in only one county or the City of Baltimore, to fulfill the advertising provisions of the constitution of Maryland a title and statement for each law shall be published once a week for two weeks immediately preceding the general election (1) in at least two newspapers of general circulation within the county; (2) in one newspaper if only one is generally circulated in the county; or (3) in three newspapers published in the City of Baltimore.

Requires that the complete text be posted in the office of each board of supervisors of elections and in the state board office for thirty days prior to the general election for public inspection during normal business hours.

MARYLAND CONT'D

Provides that copies of the complete text of all constitutional amendments and referendum questions be furnished by the state administrative board of election laws to the local boards of elections in quantities as determined by the state administrator of election laws. Anyone requesting a copy from a local board of election shall be mailed a copy without charge.

SB 941, Chapter 349, Approved 5/6/80

See Section II for a summary of this law.

SJR 1, Approved 4/8/80

Ratifies the proposed amendment to the United States Constitution relative to providing representation for the District of Columbia in Congress.

MASSACHUSETTS

SB 336, Chapter 168, Approved 5/22/80

Provides that children in the company of a voter may be admitted within the polling guardrail area unless the election officer in charge deems that admitting the child would disrupt order.

HB 4128, Chapter 134, Approved 5/5/80

Provides that a city or town registrar must inform a candidate for a city or town office if the district in which he seeks office is named incorrectly on the nomination papers. Allows such a candidate to change the district on the nomination papers provided that such a change is initialed by both the registrar and the candidate and provided that a written explanation of the change is made in three copies, of which one is attached to the nomination papers, one is retained by the registrar and one is retained by the candidate. Provides that if the correct district designation is not inserted, the nomination papers cannot be approved. Provides that in no case may a correction be made to change the office for which such candidate is nominated.

Provides that nomination papers for presidential elector must be filed on or before the first Thursday in June of the year in which a presidential election is to be held.

Repeals the section of the election code dealing with objections to nomination papers of candidates.

Provides that nomination papers of a candidate for the presidential primaries must be submitted on or before 5:00 p.m. of the fourteenth day before the final date for filing with the state secretary.

Provides that certification of nomination papers for candiates for state, ward, and town committees must be completed no later than the seventh day before the final day for filing.

Provides that for the purpose of certifying names on primary nomination papers before special elections the registrars must hold meetings on the two Tuesdays next preceding that primary.

Specifies that the state ballot law commission will have jurisdiction over, among other things, any matter referred to it pertaining to the statutory and constitutional qualifications of any nominee for state, national or county office; and the fraudulent or forged signing of statewide initiative or referendum petitions, or any other objection relating to the signatures on such petitions.

Provides that the state ballot law commission will not have jurisdiction regarding public policy questions, city or town candidates and ballot questions, except certain city initiative petitions.

MASSACHUSETTS CONT'D

Provides that sections of the election code relating to objections to certificates of nomination and nomination papers for candidates apply only to candidates for president who file nomination papers to be placed on the ballot at presidential primaries, and to all candidates at regular state primaries and biennial state elections.

Adds candidates for the following offices to the section which governs the timely objection to nomination papers and certificates of nomination: (1) President; (2) Presidential elector; (3) representative and senator in the general court; (4) councillor; and (5) county officers chosen at a state primary or at a state election.

Provides that two members of the state ballot law commission will be appointed for terms expiring February 1, 1981, and two members for terms expiring February 1, 1982; their successors will be appointed for terms of two years.

HB 5893, Chapter 10, Approved 2/28/80

Provides that a state or county employee shall not be prohibited from holding an elective or appointive office in a city, town or district nor prohibited from performing the duties of or receiving the compensation provided for such office. Such official shall not vote or act on any matter which is within the scope of the agency by which he is employed or over which the employee has official responsibility.

HB 6325, Chapter 269, Approved 6/11/80

Requires that the registrar must communicate with or visit residents and innholders in the city each January or February so that a list of residents who are seventeen years of age and upward can be made. Specifies that each resident's name, date of birth, occupation and nationality (if not a citizen of the United States) must be included in this list.

HB 6580, Chapter 379, Approved 7/3/80

Requires that each voter whose absentee ballot is rejected be notified of the reason for the ballot rejection, before the election, by the clerk.

MICHIGAN

SB 506, Act 140, Approved 5/29/80

Provides that in a city or township which uses voting machines, an absent voter may vote on a voting machine at the clerk's office during the thirteen days before an election.

Provides that the following safeguards will be put into effect to insure that the voting machine is secure: Two election inspectors must be appointed and must be present in the clerk's office during the time the office is open and the voting machine is present. When the voting machine is not in use it will be locked by key which will be in the custody of the clerk. When the office is closed the voting machine must be sealed by a numbered seal. The number of the seal must be recorded and signed by the clerk. When the office is reopened the seal must be examined and the number recorded as identical to the number shown on the record when the machine was sealed.

SB 798, Act 181, Approved 7/2/80

See Section II for a summary of this law.

SB 1111, Act 171, Approved 6/18/80

Deletes the requirement that before a fall primary or November general election the clerk shall be at the clerk's office or other designated place on the first Saturday preceding the close of registration for the purpose of receiving registrations.

HB 4029, Act 200, Approved 7/18/80

Requires a candidate or elector, upon filing a recount petition with the clerk of the correct board of canvassers or presenting a petition to the secretary of state, to deposit a sum of $10 (formerly $5) with the clerk for each precinct referred to in his petition.

HB 4399, Act 160, Approved 6/18/80

Provides that a person voted for on a party ballot for a state or local office or for the office of United States Senator or Representative, whose name is not printed on the ballot and who has not filed a nominating petition for the office voted for, will not be considered nominated as the candidate of the party for the office nor certified as a nominee unless the person receives a number of votes equal to a certain percentage of either the population or the greatest number of votes received for any office in the primary.

HB 4814, Act 61, Approved 4/1/80

Provides that the board of canvassers, which made the final canvass of the vote of the primary election, shall conduct a recount in a primary election involving a contest for the nomination of candidates for legislative office.

States that a candidate voted for an office at an election may petition for a recount of the votes if: (1) the office is one in which the votes are canvassed by the board of state canvassers or is the office of state representative or state senator; (2) the petition is written or printed and sworn to by the candidate; (3) the petition is filed with the secretary of state no later than forty-eight hours following the completion of the canvass of votes cast at an election; (4) the petition alleges the candidate is aggrieved on account of fraud or a mistake in the canvass of the votes by the inspectors of election or the returns made by the inspectors, or by a county canvassing board or the board of state canvassers; and (5) the petition states the nature and character of the fraud or mistakes in the counties, cities, townships and precincts in which they exist and the counties, cities, townships and precincts in which the recount is requested. If the office is that of state representative, a copy of the petition should be filed with the clerk of the house of representatives; if the office is that of state senator, a copy of the petition shall be filed with the secretary of state.

Provides that the ballots petitioned for recount in a legislative contest be recounted for that office by the board of state canvassers and be preserved until the contest is disposed of under the rules of the legislative body which takes office in January following the contested general election. Ballots in a precinct petitioned for a legislative recount of a special general election shall be preserved until the contest is disposed of under the rules of the legislative body serving at the time the report of a recount for a legislative office is filed.

States that the board of state canvassers forward a report of the results of the recount to an appropriate legislative body.

Specifies that within forty-eight hours after a candidate has filed a petition and the deposit the secretary of state shall give notice of the petition to each opposing candidate by delivering a copy of the petition to each candidate or leaving a copy of the petition with a family member at the candidate's last known residence if the candidate cannot be found. If a family member cannot be found notice may be placed in a conspicuous place at the candidate's last known residence. States that a counter-petition may be filed no later than 4:00 p.m. of the seventh day after the first petition has been filed. A deposit shall also be made as for the original petitioner. The counter petitioner shall be entitled to have all deposit money refunded if the original petitioner does not establish fraud or receive a certificate of election.

MICHIGAN CONT'D

HB 5163, Act 188, Approved 7/3/80

Repeals secs. 168.646d and 168.681 of the Michigan Compiled Laws of 1970, which deal with the effective dates for precinct divisions for the year 1968, the effect of petitions filed for precinct delegate, and the placement of the office of county supervisor on the ballot. Repeals the provision which states that each precinct election inspector may vote in the election precinct where he acts as an election officer, even though he resides in another election precinct of the same township.

HB 5175, Act 112, Approved 5/14/80

Provides that if authorized by law and after certain actions have been taken, a township may include library directors and park commission members in the list of elective township offices.

HB 5265, Act 215, Approved 7/18/80

See Section II for a summary of this law.

HB 5854, Act 261, Approved 7/30/80

Provides that in even-numbered years in which a presidential primary is held, the county conventions of all political parties for the election of delegates to a state convention for the nomination of state officers may be held on any day within the nineteen days after the August primaries.

Provides that when a vacancy occurs in the office of senator or representative in the state legislature after the primary election and before the following general election, the executive committee of the county committee of each political party may select, by a majority vote, a candidate for that office within twenty-one days after the vacancy occurs and at least ten days before the general election.

MINNESOTA

SF 129, Chapter 588, Approved 4/22/80

Proposes an amendment to the constitution of Minnesota specifying how the senate and house of representatives will be apportioned.

Provides that a law changing the number of senators or representatives will be effective on January 1 of the next year ending in the number one following enactment of the law.

Provides that the legislature will not prescribe the boundaries for the districts of senators and representatives or for the districts of representatives in the Congress of the United States.

Provides that a reapportionment commission, consisting of nine eligible voters of the state, will be established by March 15 in each year ending in the number one or when required by court order to draw the boundaries of legislative and congressional districts.

Provides that one commission member will be appointed by each of the following: a) speaker of the house; b) members of the house representing political parties other than the party represented by the speaker; c) president of the senate, and d) members of the senate representing political parties other than the party represented by the president. The remaining five members will be appointed by unanimous agreement of the legislative appointees.

Establishes the following standards to be followed when drawing boundaries of legislative and congressional districts. There is to be one district for each state representative, state senator, and representative in Congress. All districts of the same kind will be as equal in population as practicable. Districts will be composed of compact and contiguous territory. Boundaries will follow the boundaries of local governmental units where practicable. Natural and man-made physical boundaries will be followed where practicable. No apportionment plan will be drawn for the purpose of favoring any person or political party.

Provides that an apportionment plan, which must be adopted not later than December 1 in years ending in the number one, is approved by a positive vote of at least six commission members.

Provides that the state supreme court will exercise original jurisdiction in any matter relating to apportionment. Provides that if the commission fails to adopt an apportionment plan within the time specified, the supreme court will adopt its own plan.

Provides an extended period for establishing residence for legislative candidates if an apportionment plan for legislative districts is adopted by the supreme court later than April 1 of a general election year.

Provides that this amendment will be submitted to the people at the 1980 general election.

MINNESOTA CONT'D

Defines political party as the political party or political principle by which a legislator was designated on the general election ballot when the legislator was last elected.

Provides that not more than five members of the commission will be residents of the metropolitan area and not more than five will be residents of the area consisting of the remainder of the state.

Provides that except for certain specified individuals, an individual cannot be appointed or cannot serve as a member of the commission if he or she: a) holds or has held within two years prior to appointment, an elected or appointed office in the executive, judicial or legislative branch or in an independent agency of the federal or state government; b) is or has been within two years prior to appointment an officer of a campaign committee of a candidate for state or federal office or an officer of a political party other than a precinct officer; c) is an employee of the legislature or Congress; d) is a member of the immediate family of a legislator or representative in Congress; or e) is or has been within two years prior to appointment a lobbyist.

Provides that no individual appointed as a member of the commission will remain a member if he or she becomes a candidate for any elective state or federal office.

Specifies when and how the persons specified by the constitution to submit names of commission appointees will certify these names to the secretary of state. Provides that the secretary of state will notify the chief justice of the supreme court if certification is not received within the required time.

Vacancies on the commission other than those resulting from a failure to appoint a member within the time provided by law will be filled by the appointing authority that made the original appointment.

Provides that the secretary of state will specify the time and place for the commission meeting. Details the procedures to be followed at this meeting including the fact that the proceedings, materials and minutes of the commission are open to the public.

Provides that commission members may be removed from the commission by the supreme court upon petition filed by an eligible voter and after a hearing and upon finding by a preponderance of the evidence that the member: a) has been convicted, during his membership, of a gross misdemeanor or felony; b) is unqualified to serve because of present or prior governmental service or close relationship to a legislator in Congress; c) is physically or mentally incapable of serving; or d) is unwilling to serve (failure to attend three successive meetings of the commission or failure to attend a total of six meetings of the commission is prima facie evidence of unwillingness to serve).

Provides that an apportionment plan adopted by the commission will include the following items: a) a written description of each district drawn by the commission; b) a map of each district showing the name and location of each public road and each local governmental unit boundary; c) a map of the state showing all of the districts drawn by the commission; d) a statement of the deviation in population of all districts of that kind; e) a justification of any population deviation described in (d) which exceeds one-half of one percent for congressional districts or five percent for legislative distrcts; f) an explanation of the standards used by the commission to draw the districts; and g) any other information which the commission deems relevant to the plan.

Provides that an apportionment plan must be adopted not later than September 1 of the year in which the commission is established. Provides that the commission must file the plan with the secretary of state within five days of its adoption.

Provides that a commission will be called when either the number of the state's representatives in Congress is changed by federal law or a federal court order requires adoption or amendment of an original plan.

Specifies that the commission will submit any adopted apportionment plan to each county auditor and each newspaper of general circulation, and each radio and television station in the state. The commission shall prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

SF 1010, Chapter 362, Approved 3/18/80

See Section II for a summary of this law.

HB 1121, Chapter 607, Approved 4/23/80

See Section II for a summary of this law.

HB 1601, Chapter 400, Approved 3/31/80

States that an employee may absent himself from his work to attend any meeting of the state central committee or executive committee of a political party if the employee is a member of the committee, or to attend any convention of political party delegates including meetings of official convention committees if the employee is a delegate or alternate delegate to that convention, upon giving at least ten days written notice to his employer. An employee who gives proper notice shall suffer no penalty or deduction from his salary or wages on account of his absence other than a deduction in salary or wages for the actual time of absence from employment.

HB 2051, Chapter 406, Approved 3/31/80

Provides that any person elected to public office shall be permitted time off from regular employment to attend meetings of his public office. States that when time is taken off without pay, the employer should make an effort to allow the employee to make up the time when the employee is available.

HB 2304, Chapter 587, Approved 4/22/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Proposes an amendment to the Minnesota constitution which, if adopted by the people, would permit a law to be initiated or referred for repeal upon petition by eligible voters. The constitutional amendment would provide for placement of an initiative or referendum measure on the ballot at a general election if petitions for the measure are signed by eligible voters in each congressional district of the state in a number not less than five percent of the persons who voted at the last general election in that congressional district. The measure would be considered adopted if voted for by a majority of those voting on the question. Would prohibit voters from initiating or referring for repeal a constitutional amendment, an appropriation or a special law. This constitutional amendment, if adopted, would expire January 1, 1985.

Enacts the Initiative and Referendum Implementation Act, which is effective upon ratification of the proposed constitutional amendment permitting initiative and referendum measures. The Implementation Act would expire January 1, 1985. Requires the sponsors of an initiative or referendum to file a declaration with the secretary of state not later than Mach 1 of an odd-numbered year before circulating petitions to have a measure placed on the ballot. Specifies the contents of the declaration. Directs the sponsors to pay to the secretary of state a filing fee of $200.

Prohibits any initiative of referendum measure from relating to more than one subject.

Permits initiative and referendum petitions to be circulated only in odd-numbered years and no sooner than the ninth day after the secretary of state approves the petition. However, the sponsors may engage in organizational activity and undertake certain other preliminary steps prior to circulation of the petitions. Requires the sponsors to file the signed petitions with the secretary of state by October 1 of the year in which the petitions are circulated.

Provides that voting on initiative or referendum measures shall be held only at a general election.

Provides that political advertising relating to an initiative or referendum shall

MINNESOTA CONT'D

indicate the name of the person or committee responsible therefor. Media advertising shall also prominently indicate that such is paid advertising, and shall state the amount paid for the advertisement or that the same is being paid for at regular advertising rates. Provides that the charges for advertising concerning an initiative or referendum shall not exceed charges for comparable advertising.

MISSISSIPPI

HB 682, Chapter 486, Approved 5/8/80

Provides that the persons appointed by the commissioners of election as managers of the election for each election district must be residents of the precinct in which the polling place is located.

Provides that the clerks appointed by the managers of election must be residents of the precinct in which the polling place is located.

HB 883, Chapter 373, Approved 4/25/80

Provides that if chapter 452 of the Mississippi session laws of 1979 is put into effect under section 5 of the Voting Rights Act of 1965, then section 1 of this act will be repealed and section 2 of this act will be effective. If chapter 452 is not put into effect under section 5, and after the Attorney General of Mississippi has exhausted all options under the Voting Rights Act, then section 2 of this act will be repealed and section 1 of this act will be effective. Chapter 452 is an act to provide the method of qualifying a candidate for pubic office in the state; to provide for the time of holding general and preferential elections in certain cases and to determine which persons are elected; and to set the deadline for candidates to file their intent to be a candidate in municipal elections and other related matters.

Section 1 - Provides that any otherwise qualified candidate for councilman will be deemed to be qualified in whatever ward he or she resides if his or her ward has changed after the council has redistricted the municipality as provided below. Provides that if the wards have been so changed any person may qualify as a candidate for councilman, using his or her existing residence or by changing his or her residence, not less than fifteen days prior to the first party primary.

Provides that the council must redistrict a municipality not later than twenty days prior to the first party primary if the publication of the most recent decennial census occurs less than six months prior to the first party primary of a general municipal election.

Provides that if the publication of this census is not received by the council in time to redistrict the municipality at least twenty days prior to the first party primary, then the municipality must be redistricted not later than twenty days prior to a special party primary.

Provides that if the census is not received in time to redistrict the municipality as provided above, the mayor and councilmen will be elected by the voters at a special general municipal election held on the fourth Tuesday after the first Monday in June and a special party primary will be held on the second Tuesday after the first Monday in June.

Section 2 - Section 1 and section 2 are the same except as follows: (1) the terms

MISSISSIPPI CONT'D

"first party primary" and "special party primary," which are used in section 1, have been replaced by the terms "preferential election" and "special preferential election," respectively; and (2) section 2 deletes the six month grace period to comply with redistricting requirements which the present law allows the council before the council members' salaries are withheld.

MISSOURI

SB 658, Approved 5/30/80

Regulates elections on statewide ballot measures.

Provides the form of each page of a referendum petition on any law passed by the general assembly and the form of each page of an initiative petition for any law or amendment to the state constitution.

Specifies that it is a class A misdemeanor for persons to sign a referendum or initiative petition with any name other than their own, or to knowingly sign their name more than once for the same measure for the same election, or to sign a petition when they know that they are not registered to vote.

Provides that each page of an initiative or referendum petition must contain signatures of voters from only one county.

Provides that each petition circulator must be a Missouri registered voter and a resident of Missouri.

Provides that any voter may withdraw his or her signature by submitting an affidavit of withdrawal to the secretary of state before the petition is certified as sufficient or insufficient.

Allows the secretary of state to adopt rules to ensure uniform, complete, and accurate checking of petition signatures .

Provides that the secretary of state must give notice to the person designated on the petition, of signatures that will not be counted because of apparent forgery, fraud or failure to comply with the regulations which govern petitions. This notice must be given within three days of determining which signatures will not be counted.

Specifies which entity must provide a fiscal note summary for the official ballot after certain proposals have passed the general assembly or after the secretary of state certifies certain petitions.

Outlines procedures to be followed by any citizen who wishes to challenge the official ballot title or the fiscal note summary and fiscal note for a proposed constitutional amendment, initiative petition or for a statutory initiative or referendum measure. Provides that any citizen may bring a court action to compel the secretary of state to reverse his or her decision on the sufficiency or insufficiency of petition signatures.

SB 734, Approved 6/9/80

Specifies the day and months in which all public elections can be held except that school districts may hold special levy elections on the first Tuesday after the first Monday in October.

NEBRASKA

LB 535, Approved 4/17/80

See Section II for a summary of this law.

LB 601, Approved 3/13/80

States that when there is a vacancy in the office of mayor the president of the council shall serve as mayor for the unexpired term. However, if at least one half of the previous mayor's term remains, a successor shall be elected at the next general election.

Specifies that a petition demanding removal of an officer be submitted to the registered voters of the county or district and filed with the county clerk. Petitions shall be procured from the county clerk after an affidavit is filed. A record shall be kept by the county clerk or election commissioner as to whom the petition papers were issued and the date.

States that within thirty days after the affidavit is filed, the recall petition shall be filed with the county clerk or election commissioner and within ten days after the filing of the petition, it shall be determined whether the petition was signed by the requisite number of registered voters. If the petition is found to be sufficient, it shall be submitted to the county board at its next regular meeting and shall notify the officer whose removal is sought of such action. If such officer does not resign within five days after such notice, within ten days of the receipt of the certificate the county board shall order an election to be held not less than thirty nor more than forty-five days thereafter, or the election shall be held at the next primary or general election if one is to be held within the next ninety days.

Specifies the ballot format at recall elections.

NEW JERSEY

SB 1134, Chapter 458, Approved 2/27/80

Provides that members of the municipal and county committees of political parties must be residents of the districts or units from which elected. If a member ceases to be such a resident a vacancy on that committee will exist.

SB 1176, Chapter 74, Approved 7/23/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Directs the state public broadcasting authority to promote full discussions of public issues by the candidates for governor in both the primary and the general election. Requires the authority in a primary to make available at least two hours of time on its stations for joint appearances by the candidates, and at least fifteen minutes of time on its stations for individual appearances by each candidate. In a general election, the authority is to make available at least one hour of time for joint appearances, and at least one additional hour for individual appearances by each candidate .

SB 1282, Chapter 94, Approved 8/28/80

Relates generally to residency requirements for local elective office.

Deletes from the definition of the term "candidate" any person who accepts appointment to any local elective office.

Provides that no person is eligible to become a candidate for any local elective office or to be appointed to any local elective office, unless he or she is registered to vote in the local unit to which the office pertains, and has been a resident of that local unit for at least one year prior to the date upon which the election is held or appointment is made.

Deletes the requirement that municipal commission members and members of the municipal council be citizens and residents of the municipality for at least two years immediately preceding their election.

Deletes the requirement that a member of the municipal council in any municipality having a population of less than 1,000 must have been a citizen and resident of such municipality for at least ninety days immediately preceding his election.

Deletes the one year Unites States citizenship and town or ward residency requirement to qualify for a town or ward office. Deletes the provision specifying that when a person holding these offices moves from the town or ward, his or her office will become vacant.

NEW JERSEY CONT'D

SB 3383, Chapter 467, Approved 2/27/80

Specifies that no person may run for more than one office at the same general election if he could not legally hold such offices together after the election.

SB 3415, Chapter 393, Approved 2/6/80

Specifies that during the month of March of each year the commissioner of registration in all counties shall arrange and conduct registration in each public and non-public high school in the county, of all students who are eligible to register to vote in the next election. A report shall be completed by the commissioner of registration concerning the number of students registered during the month. Copies of such report shall be forwarded to the secretary of state.

AB 3523, Chapter 423, Approved 2/8/80

Provides that the committee on resolutions appointed by the state convention of each political party shall prepare a tentative party platform and furnish it to each member of the convention within seventy-five days (formerly three weeks). A minimum of three public hearings shall be held by the committee on resolutions throughout the state. Also provides that the state convention of each political party shall adjourn and meet again no later than ninety days after the initial adjournment at its original set meeting place. The date of adjournment shall be set by the state chairman of each political party and notice of the date shall be furnished to each member no later than fifteen days prior to such adjourned meeting.

NEW MEXICO

SB 63, Chapter 43, Approved 2/28/80

Amends and repeals certain sections of the presidential primary act.

Includes as members of the presidential primary candidates nominating committee, the state chairmen of the major political parties which will participate in the presidential primary. Requires that the nomination and certification of the candidates to the secretary of state occur by February 15.

Requires notification by certified mail by the secretary of state to each candidate nominated by the committee or by petition that his or her name will be included on the presidential primary ballot unless a written request of omission is received by that person at least fifty days before the election.

Provides that under most circumstances the placement of candidates on the ballot will be in two groups, the first group consisting of candidates who are nominated by committee or petition with each candidate's position determined by lot, and the second group made up of the uncommitted category.

Requires that the secretary of state notify the state chairman of each political party participating in the primary of the following information: 1) the names of all candidates and the uncommitted category; and 2) the total vote and the percentage of the total vote for each candidate or the uncommitted category.

Requires delegates to file with the state chairman of his or her political party a written declaration of acceptance as a delegate to the national convention at least fifteen days before the convention; requires the chairman to forward the declaration to the secretary of state by ten days before that convention.

Outlines the procedures under which the delegates to the national convention are required to cast their votes. Changes the delegate's pledge to vote on the first ballot for the nomination for president in accordance with these new procedures. Specifies that any delegate representing the uncommitted category may vote for any candidate at the national convention or remain uncommitted.

Repeals the provision which required the secretary of state to certify to the credentials committee at the national conventions of each political party the list of names of qualified delegates.

HB 136, Chapter 13, Approved 2/14/80

Adds the state chairmen of the major political parties participating in the presidential primary to the list of committee members who nominate the presidential primary candidates, and requires such committee to certify the names of the nominees to the secretary of state not later than February 15 before the primary election (formerly ninety days before).

NEW MEXICO CONT'D

Requires a candidate to notify the secretary of state at least fifty days prior to the primary election if he wishes to withdraw his name from the ballot.

Establishes the placement of candidates' names on the primary election ballot. Candidates in the presidential primary shall appear with the candidates of the same party for other offices; candidates nominated by committee and petition shall appear first, their placement determined by lot, unless the balloting order has been determined by the party's pre-primary nominating convention.

Requires the secretary of state to notify the state chairman of each political party participating in the primary of the names of all candidates and uncommitted delegations and the total vote and percentage of the total vote received by each candidate or delegation, and that each party select its allotted delegates according to its party rules.

Establishes the manner in which the chairman of each party's delegation will apportion the delegate vote and requires that any votes released before the first ballot by the written release or death of the candidate be allotted to the uncommitted delegation.

Changes the filing deadline for delegate pledges: the delegate must file with the state chairman of his political party at least fifteen days, and the state chairman must submit it to the secretary of state at least ten days, before the national convention.

Requires that a delegate be affiliated with the party he represents at least forty-five days prior to the presidential primary election.

Repeals a provision which required the secretary of state to certify the list of delegates and alternates to the credentials committee of each political party participating in the presidential primary election.

NEW YORK

SB 7207, Chapter 5, Approved 2/14/80

Provides that paper ballots may be used for any village election held on March 18 or 25, 1980.

SB 8028, chapter 305, Approved 6/19/80

Changes the number of days prior to a district election that candidates for district office must file their names with the secretary of the board of commissioners from at least ten to at least eleven days.

HB 8768, Chapter 14, Approved 3/10/80

Provides that all voting machines used in a village election held within thirty days of the twenty-fifth day of March, 1980, will remain locked for at least seventy-two hours after the election. Provides that if any candidate in that election files a certificate of objection with the village clerk within twenty-four hours after the close of the polls, to having the voting machines unlocked, the voting machines will not be unlocked for at least thirty days after the election.

AB 8510, Chapter 167, Approved 5/29/80

States that the board of trustees of a village which is entirely in one county may adopt a resolution subject to a referendum providing that village elections shall occur on the day of the general election and be conducted by the board of elections. However, all the election districts contained within such village must be wholly within such village.

AB 10422, Chapter 666, Approved 6/30/80

Repeals the requirement that a medical certificate must be included in a voter application for inclusion on a permanent absentee ballot mailing list because of permanent illness or physical disability.

NORTH CAROLINA

SB 1087, Chapter 1242, Ratified 6/25/80

Provides that counties which have voter registration lists stored on electronic data processing equipment shall furnish to political parties lists once in each odd-numbered year, once during the first six calendar months of each even-numbered year and once during the last six months of each even-numbered year.

HB 1638, Chapter 1325, Ratified 6/25/80

Authorizes the executive secretary-director of the state board of elections to permit the use of paper ballots for voting for the office of President of the United States in precincts where the voting machines are used for all other offices in the November 4, 1980 election.

OHIO

SB 251, Approved 4/2/80

See Section II for a summary of this law.

HB 946, Approved 5/3/80

Provides that any candidate who has changed his name within five (formerly ten) years preceding the filing of his declaration or statement of candidacy must include his former name on his declaration or statement of candidacy and nominating petition.

OKLAHOMA

SJR 15, Adopted 5/12/80

Proposes an amendment to the Oklahoma Constitution regarding apportionment of the legislature. The proposal will be referred to the people of Oklahoma for their approval or rejection as provided by law.

Provides that the apportionment of the legislature must be accomplished by the legislature within forty-five days after the convening of the second regular session of the legislature following each federal decennial census.

Provides that the legislative districts must be compact, contiguous, and conform as nearly as possible to political subdivision boundaries.

HB 1576, Approved 6/13/80

Provides that the secretary of each county election board or a designated voting registrar may visit county high schools once a year to register eligible students. Specifies that the local school board must agree to this visit.

PENNSYLVANIA

SB 543, Act 127, Approved 7/11/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Specifies that a person who has been nominated by any political party or political body for a special election may withdraw his name from nomination by a request filed within seven (formerly, three) days of the last day for filing nomination certificates or papers. Provides that a candidate for nomination or election at a primary may withdraw his name as a candidate by a request to be received in the office of the secretary of the commonwealth or the office of the county board of elections by the end of business on the fifteenth (formerly, seventh) day after the last day for filing nomination papers.

Specifies a procedure for a person nominated by a political body to withdraw his name from nomination. (Formerly, such a candidate would withdraw in the same way as a person nominated by a political party.) Provides that a person nominated by any political body as a candidate for presidential elector, United States Senator, Representative in Congress, or for any state office (including that of senator, representative and judge of a court of record) may withdraw his name from nomination by request in writing signed by him and acknowledged before an officer qualified to take acknowledgment of deeds and filed in the office of the secretary of the commonwealth. Any person who has been similarly nominated as a candidate for any other office may withdraw his name from nomination by a similar request, filed with the county board of elections of the proper county. Such written withdrawals shall be filed with the secretary of the commonwealth or the county board of elections not later than the ordinary closing hour of said office on the seventh day next succeeding the last day for filing nomination papers for the office. Provides that no name so withdrawn shall be printed upon the ballot or ballot labels. Prohibits a candidate from withdrawing a withdrawal notice that has already been received and filed and thereby reinstating his nomination.

Provides that upon petition to the court of common pleas, or the commonwealth court, by a candidate for nomination or election, or in the case of the death of the candidate by the treasurer of his political committee, the court shall order the withdrawal of the candidate's name for nomination or election, except upon a showing of special circumstances.

Provides that the affidavit filed by candidates for certain offices with their nomination papers pursuant to t. 25, sec. 2870 of the Pennsylvania Statutes Annotated, shall include a statement by the candidate that he is aware of the provisions of the election code requiring pre-election and post-election reporting of campaign contributions and expenditures.

SB 764, Act 134, Approved 7/12/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Provides that any person who is a registered and enrolled member of a party beginning thirty days before the primary through the general or municipal election shall be ineligible to be a candidate in that general or municipal election. States also that any person who is a registered and enrolled member of a party be ineligible to be a candidate for a special election.

Specifies that no nomination paper shall be filed nor contain a signature dated later than the second Friday (formerly the seventh Wednesday) subsequent to the primary.

Provides that applications for official absentee ballots shall be on forms prescribed by the secretary of the commonwealth. No written application or personal request shall be necessary to receive the application. Such applications shall be made available at the county board of elections, municipal buildings and other locations designated by the secretary.

HB 382, Act 128, Approved 7/11/80

NOTE: The provisions of this law relating to campaign financing are summarized in Section II.

Provides that each borough and township, not divided into wards, and each ward of every city, borough and township now existing or created in the future, shall constitute a separate election district unless formed into one or divided into two or more election districts.

Provides that new election districts may be formed by the court of common pleas of the county in which the court is located by dividing or redividing any borough, township, ward or election district into two or more election districts of compact and contiguous territory, or by altering the bounds of any election district or by forming an election district out of two or more adjacent wards.

States that the use of an electronic voting system for registering or recording and computing the vote at all elections and primaries in a county or municipality may be authorized by a majority vote of qualified registered electors in such county or municipality.

States that if an electronic voting system is adopted, the county board of electors shall purchase, lease or otherwise procure the components of an electronic voting system of a kind approved and the board shall notify the secretary of the commonwealth that they have done so.

Provides that the installation of the electronic voting system shall be accomplished within 103 weeks after the approval of the adoption of such system. The use of paper ballots and voting machines shall be discontinued upon installation of the electronic voting system.

Provides for the experimental use of the electronic voting system in one or more election districts or counties. The use of the system shall be as if such system had been adopted.

States that no electronic voting system shall be approved by the secretary of the commonwealth or an appointed examiner unless such system: (1) provides for voting in absolute secrecy and prevents any person from seeing or knowing for whom an elector has voted (except for an elector who has or is receiving assistance); (2) provides facilities for voting for such candidates as may be nominated and upon such questions as may be submitted; (3) permits each voter to vote by one mark or act, to vote a straight political party ticket, to vote for all candidates of one political party for presidential electors or for every office to be voted for, and every such mark or act shall be counted as one vote for every candidate of the political party so marked, except with respect to those offices as to which the voter has registered a vote for individual candidates of the same or another political party or body, in which case the vote shall credit the vote for that office only for the candidate individually selected; (4) permits each voter to vote a ticket selected from the nominees of all political parties or bodies and from persons whose names do not appear upon the official ballot; (5) permits each elector to vote for any person and office for whom and for which he is lawfully entitled to vote, whether the name of such person appears on the ballot as a candidate for nomination or election; (6) permits each elector to vote for as many persons for any office as he is entitled, to vote for or against any question upon which he is entitled to vote and precludes each voter from voting or having his vote tabulated for any candidate or question for whom or which he is not entitled to vote; (7) if not the type of voting system that registers the vote electronically, precludes each elector from voting more than once upon any question, or from voting for more persons for any office than he is entitled; (8) precludes each voter from voting or from having his vote tabulated more than once for any candidate for the same office or upon any question, except in districts and offices where cumulative voting is authorized by law; (9) permits each elector at a primary election, to vote only for the candidates seeking nomination by a political party in which such elector is registered and enrolled, for any candidate for nonpartisan nomination and for any question upon which he is entitled to vote; (10) permits each voter to change his vote for any candidate or upon any question up to the time his vote is registered and computed, if the system registers votes electronically; (11) permits a voter who has spoiled his ballot to obtain another, if the system is not electronic; and (12) is suitably designed and of good quality and efficiently useable in the conduct of elections.

Requires that the components of an electronic voting system be placed on public exhibition thirty days preceding an election. Such system shall be under the care of a competent person such as a custodian or instructor.

Provides that any elector desiring instructions on the operation of the voting device before entering the booth shall be instructed through the use of diagrams and a model. Audible instructions shall be given by the instructor, without entering the booth. However, no such election officer shall force or induce an elector to vote a certain way.

Specifies procedures for the conduct of the election at the election district. At primary elections, the voting system shall be adjusted so that the voter will only be able to vote for candidates of the party in which he is enrolled, for persons whose names are not on the official ballot, for candidates for nonpartisan nominations and for any questions upon which he is entitled to vote. At primary elections the elector shall be able to vote for each candidate individually and at all other elections, the elector may vote for each candidate individually or by straight party ticket. An elector may vote for any person for any office for which his name does not appear upon the ballot label as a candidate by write-in vote. At any general election in which presidential electorts are to be chosen, each elector shall be permitted to vote for all the presidential electors of a political party by one operation. Any voter who desires to vote for presidential electors not in nomination by any party, shall deposit a write-in ballot in the receptacle provided.

HB 2104, Act 129, Approved 7/11/80

See Section II for a summary of this law.

RHODE ISLAND

SB 2535, Chapter 309, Approved 5/15/80

Provides that each principal of a public or private high school and director of each vocational school may be a registration agent with authority to receive registrations from qualified applicants who are students or employees within the school.

Provides that the principal or director may designate one or more persons in the school to serve as registration agents with the same authority as the principal as long as that designation is filed with the local board for the city or town where the school is located.

HB 7511, Chapter 381, Law Without Approval 5/19/80

Specifies the procedures to be followed for special referenda elections.

Authorizes the secretary of state to rephrase a question which has been passed by the general assembly and which will appear on the ballot, so that the question can be clearly understood by the voters. Provides that a proposed amendment to the state constitution is the only question which must contain the full text as adopted by the general assembly.

Provides that local questions must be printed on a distinctive colored background.

Provides that the secretary of state must mail to each registered voter, prior to the election, copies of the full text of each legislative act which will be voted on by the electorate and which applies to the state at large. The secretary must also include in this mailing the designated number of the question appearing on the ballot, a brief caption of the question appearing on the ballot, and a brief explanation of the measure.

Provides that voting machines must be used when voting concerns a proposed amendment to the state constitution or a statewide public question.

Creates an eleven member study commission appointed by various designated officials, to study the different kinds of voting systems and equipment available for referenda, general and special elections and primaries.

HB 7512, Chapter 286, Approved 5/15/80

Provides that when a political party district committee endorses senatorial or representative candidates, it must file such endorsements with the board of canvassers of the city or town of residence of the candidates endorsed; provides that if the endorsed candidate is a resident of Providence or Cranston, the endorsement must be filed with the secretary of state.

RHODE ISLAND CONT'D

HB 7515, Chapter 388, Law Without Approval 5/19/80

Repeals the requirement that voters must certify that they are bona fide members of a specific political party at the same time that they sign nomination papers endorsing approval of the candidates.

HB 7818, Chapter 391, Approved 5/16/80

Changes the boundaries of certain state senate and representative districts.

SOUTH CAROLINA

SB 475, Approved 1/21/80

Requires the election of a county governing body from single-member districts, unless otherwise determined by referendum, in a county in which the governing body was appointed rather than elected immediately prior to June 25, 1975.

Authorizes the general assembly to prescribe the form of government of a county, the manner of election, and number and terms of council members, if the governing body of a county is declared illegal. Allows the general assembly to determine by referendum the wishes of the electorate regarding the form of government, manner of election and number and terms of council members.

Directs the general assembly to reapportion all electoral districts within one year of the adoption by the state of the federal census, but allows the general assembly to delegate reapportioning authority to county councils.

Permits the salaries of supervisors to be increased during their terms of office, but prohibits supervisors from voting on the salary question when it is considered by the council.

SOUTH DAKOTA

SB 62, Approved 2/8/80

Repeals the South Dakota presidential preference primary (South Dakota Compiled Laws, sec. 12-6A-1 et seq.).

SB 106, Approved 2/8/80

See Section II for a summary of this law.

HB 1015, Approved 2/27/80

Provides that any registered voter who expects to be or may be absent outside the state or the United States on the day in which an election is held or who may be within the state on the day of any election but because of illness, temporary or total disability, observance of a religious holiday, resident attendance at school, college or a university or because of the nature and hours of his employment, and is not otherwise disqualified by law from voting in such election, may vote by absentee ballot.

States that a person who desires to vote by mail may apply to the person in charge of the election for an absentee ballot at any time at least seven days prior to an election.

Provides that a voter may apply for an absentee ballot in person during the seven days before the election up to 3:00 p.m. of the day of the election.

Specifies that in case of sickness or confinement, a qualified voter may apply in writing for an absentee ballot by authorized messenger. The person in charge of the election is authorized to issue such ballot to be delivered to the voter.

Requires an authorized messenger for more than one voter to notify the person in charge of the election of all the voters for whom he is a messenger.

Provides that if the envelope containing the enclosures to vote is not delivered personally by the person in charge of the election or an authorized messenger filling the voter's request for an absentee ballot, it shall, except for federal service voters, be mailed by first class mail.

Specifies that upon the return of the absentee ballot, the person in charge of the election shall provide authorized messengers with a receipt upon delivering the absentee ballots.

States that a record shall be kept by the person in charge of the election of the name of the authorized messenger requiring an absentee ballot to be delivered to another voter.

HB 1062, Approved 2/8/80

Provides that each voter signing a nominating petition, a referendum petition, or a peition proposing an ordinance may indicate by ditto marks the residence mailing address and the date on which the petition was signed if this information is the same as that last written above his signature.

HB 1069, Approved 2/19/80

Deletes a provision from the election code which required the secretary of state to request the annual involvement of the clerk of the U.S. district court in updating voting records.

HB 1070, Approved 2/19/80

See Section II for a summary of this law.

HB 1144, Approved 2/19/80

See Section II for a summary of this law.

HB 1247, Approved 2/11/80

Prohibits a candidate for the office of U.S. Senator or Representative in Congress from filing a certificate of nomination to run in the general election if he was defeated in the primary election.

HR 1002, Adopted 2/14/80

Provides for the appointment of a special committee to conduct a study of the 1981 apportionment of the South Dakota legislature and seats in the House of Representatives.

HCR 1001, Adopted 1/28/80

Directs the local government study commission to conduct a thorough review of all election statutes in an effort to consolidate them under fewer titles of the South Dakota Codified Laws and to include the results of this review in its report to the next legislature.

TENNESSEE

SB 212, Chapter 483, Approved 2/22/80

Requires the chairperson of each statewide political party to certify to both the secretary of state and the coordinator of elections: (a) the number of delegates to the national convention allocated by the national party to be elected by the state party; and (b) the number of delegates allocated to the state party by the national party to various congressional districts in the state, and the number of delegates-at-large allocated by the national party to the state party.

Requires that when a political party has allocated three delegates from each congressional district by national party rules, at least one-third (formerly one-fourth) of a party's at-large delegates be elected by popular vote.

Adds a provision which ensures that the candidate who receives the greatest number of primary votes will not receive fewer district and at-large delegates than the candidate with the next greatest number of votes.

Requires that petitions for a candidate for delegate to the national convention of a political party contain the name and address of the candidate, and that the petitions be verified by the commissioner of elections.

Changes the deadline for filing or mailing of nominating petitions by candidates for election as delegates to the national convention of a political party from the second to the third Tuesday in March of a presidential election year.

SB 1552, Chapter 580, Approved 3/19/80

States that any member of the General Assembly is authorized to witness postcard registration forms in any county which he represents, provided he has filed a sample of his signature with the local election commission prior to such witnessing, unless the member is otherwise qualified as a witness.

SB 1558, Chapter 675, Approved 4/13/80

States that after any alteration of precinct boundaries, the county election commission shall immediately give written notification of such changes to the office of local government, comptroller of the treasury.

Adds to the duties of the office of local government the compiling and maintaining of precinct maps of all precincts in the state, the updating of such maps at least once every three years and providing copies of such maps upon request to any citizen at cost.

SB 1562, Chapter 676, Approved 4/3/80

Changes the day that a notice of election on the abolition of a town or city charter must be publicized from twenty to thirty days before the election.

Provides that such an abolition election will be held in conjuction with the next scheduled city or county-wide election, primary or referendum which is held forty-five days after the petitions for abolition are filed with the election commission.

SB 1567, Chapter 678, Approved 4/3/80

Provides that when elections are being held in two or more voting districts within any one county, the time period for registration and alteration of permanent registration records shall be separately calculated for each election. Registration and alteration of permanent registration records shall not be prohibited in one election because it is twenty-nine days prior to another election within the same county.

SB 1572, Chapter 883, Approved 5/1/80

Provides that the governor must order a special election within ten days of the occurrence of a vacancy in the office of Representative in Congress.

SB 1802, Chapter 590, Approved 3/19/80

Provides that in a run-off election following a primary election for municipal office, such run-off election may not be held less than thirty days following the primary election. The county election commission shall provide absentee voting in such run-off election.

SB 2316, Chapter 712, Approved 4/3/80

Requires that the main office of the county election commission, in counties having a metropolitan form of government, be open for four consecutive Saturdays preceding the date for the close of registration prior to any election set by statute. However, if any of these Saturdays should conflict with a holiday weekend when all county offices are closed, this requirement shall not apply for that Saturday if the county election commission gives notice of the closure by advertisement in a local newspaper of general circulation throughout the county.

HB 565, Chapter 715, Approved 4/3/80

Requires that there be a supplemental registration location for every 25,000 (formerly 30,000) people in the county.

Provides that in counties having a population of 100,000 or more, the county election commission shall conduct at least one supplemental voter registration each month in the last two working days in which automobile registrations are accomplished to be held adjacent to the county clerk's office where automobile licenses are sold.

HB 945, Chapter 861, Approved 5/1/80

See Section II for a summary of this law.

HB 1049, Chapter 543, Approved 3/12/80

Permits counties (except those having a population of over 600,000 and those having a metropolitan form of government) to extend the 100 foot boundary within which the display or distribution of certain campaign material and solicitation of votes are prohibited.

HB 1646, Chapter 649, Approved 3/27/80

States that if the date for an election on a question falls within thirty days of a regular primary or general election being held in the jurisdiction voting on the question, the date of the election may be reset to coincide with the regular primary or general election, even though it may be outside of the time period established. All dates dependent on the date of the election shall be adjusted accordingly and any acts required to be done by these dates shall be performed timely if done by the adjusted dates.

Specifies that if it is necessary to hold a special election to fill a vacancy in the United States House of Representatives, state general assembly, county office or a municipal office and the date for such election falls within thirty days of a regular primary or general election being held in that district, the governor or county election commissioner (for county and municipal offices) may adjust the date of the special election to coincide with the regular primary or general election. All other dates dependent on the date of the election shall be adjusted accordingly and any acts shall be timely done if performed in accordance with the revised dates.

States that all polling places shall open by 8:00 a.m. (prevailing time) for a minimum of ten continuous hours but no more than thirteen (formerly twelve) hours. States also that at the discretion of the county election commission the polls may open at an earlier time.

HB 1672, Chapter 638, Approved 3/26/80

Deletes the section of the election code which requires all persons other than hospitalized, sick or disabled voters to submit a certificate of non-registration to obtain an absentee ballot.

TENNESSEE CONT'D

Provides that all full-time students in an accredited college in the state but outside the county where registered, must submit a certificate of non-registration when applying to vote by mail with an absentee ballot.

Provides that it is no longer necessary that a physician's statement be a sworn statement when an elector wishes to be included on a permanent absentee voting register. Provides that this statement is under the penalty of perjury.

Changes the procedures for processing the absentee ballot applications of certain individuals who are full-time residents of any licensed nursing or retirement home which is located outside of the county where they are registered to those procedures followed for voting absentee by mail.

Permits a registered voter to cast his vote by absentee ballot by personal appearance at the county election commission office if that person will be unable to appear at his polling place on election day due to hospitalization, illness or physical disability.

Provides that full-time residents of any licensed nursing or retirement home are excepted from the requirement of voting at the polling place or absentee by personal appearance at the commission office for the first election participated in after registering by mail.

Provides that deptuty registrars sent to licensed nursing or retirement homes to process and attest absentee ballot applications and ballots are also required to assist disabled, illiterate or blind voters following the procedures stipulated in the election code.

States that except as otherwise expressly provided, the attestation of an absentee ballot envelope of a voter voting with assistance must be witnessed by two persons, signing their names and addresses. Also states that except as otherwise expressly provided, the witnessing signatures and addresses of two persons must accompany the written name of the voter and the signature of the person assisting a disabled voter who is unable to sign his or her name or make a mark.

HB 1673, Chapter 609, Approved 3/19/80

Specifies that the county election commission shall seal and mail or deliver in person the original of the official tabulation and certification of results to the secretary of state, the first copy to the governor and the remaining copy shall be filed with the county clerk. In the case of a general election for the office of governor, an additional copy of the returns shall be sent directly to the speaker of the Senate.

States that the county election commission shall deliver the official tabulation and certification of results as follows: 1) in an election of a county official, the original copy to the coordinator of elections and the copy filed with the county clerk; 2) in an election for a municipal office, the original copy to the chief administration offices of the municipality and the copy filed with the county clerk; 3) if a question, the original copy to the cooridnator of elections and the copy to be filed with the county clerk; and 4) the original copy to the coordinator of elections, a copy mailed to the chairperson of the political party's state executive committee and the remaining copy to the county clerk.

Provides that the official tabulation and certification of results forms shall be furnished by the coordinator of elections and the county election commission. The county election commission shall issue certificates of elections to each person elected except those to be commissioned by the governor.

Specifies that boards and commissions established shall meet on the call of their chairpersons, or if there is no chairperson, the eldest member in age. Specifies that all meetings shall be open.

Deletes Saturday from being included in the computation of time within which any act is to be done.

HB 1779, Chapter 772, Approved 4/3/80

Provides that in each county with a population of 100,000 or more, the county election commission shall conduct at least one supplemental voter registration each year at every public and private high school in the county for at least four hours for the purpose of registering those persons who will be eligible to vote in the next election.

HB 1867, Chapter 725, Approved 4/3/80

Deletes the existing definition for "election" and substitutes the following definition: a general election for which membership in a political party in order to participate therein is not required.

Defines "primary election" as meaning an election held for a political party for the purpose of allowing members of that party to select a nominee or nominees to appear on the general election ballot.

HB 1935, Chapter 728, Approved 4/3/80

Provides that any person whose registration by mail was rejected because of lack of a proper witness may come to the commission office before the twenty-fourth day prior to the election and present his rejection of registration notice to the registrar. Such person shall be registered to vote at that time if otherwise eligible to register.

HB 2106, Chapter 658, Approved 3/27/80

Requires that if any member of the county legislative body accepts the nomination as a candidate for the office of county executive, sheriff, trustee, registrar, county clerk, superintendent of roads, superintendent of schools, circuit court clerk, assessor of property or seat in the general assembly and fills the office, such member shall automatically become disqualified to continue in office as a member of the county legislative body.

HB 2131, Chapter 789, Law Without Approval 4/17/80

Enacts the Tennessee State Employees Uniform Nepotism Policy Act of 1980. Provides that within each governmental entity, no state employees who are relatives are to be placed within the same direct line of supervision whereby one relative is responsible for supervising the job performance or work activities of another relative. However, to the extent possible, the provisions of this act are not to be construed to prohibit two or more such relatives from working within the same state governmental entity. Specifies that the act is not to be applied retroactively but is to be adhered to by each governmental entity in all hiring and employee transactions subsequent to the effective date of the act (July 1, 1980).

HB 2163, Chapter 804, Law Without Approval 4/21/80

Provides for the appointment of precinct registrars who shall be inhabitants of and registered voters at a polling place in the county (having a population of less than 600,000). Inspectors shall also be inhabitants of and registered voters at a polling place in the county.

Specifies that in counties having a metropolitan form of government the county election commission may appoint persons as precinct registrars who shall be registered voters at a polling place within each legislative district. Inspectors shall also be registered voters at a polling place in the legislative district.

HB 2393, Private Chapter 238, Approved 3/26/80

Directs the officer of elections for each polling place in Rhea County to measure off 200 feet from the entrances to each building in which any election in the county is to be held and to place boundary signs at that distance. Within the 200 foot boundary and the building in which the polling place is located, display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person or political party or position on a question are prohibited. Specifies that this act shall have no effect unless approved by the voters of Rhea County in an election on May 6, 1980.

UTAH

SB 24, Approved 2/13/80

Provides that county primary conventions may be held during the month of May as well as in June.

VERMONT

HB 221, Chapter 57, Approved 5/6/80

Adds a chapter to the Vermont Statutes Annotated which outlines the procedures that govern the conduct of a presidential preference primary. Provides that a presidential preference primary for each major political party must be held in all municipalities on the first Tuesday in March in each presidential election year.

Provides that the secretary of state will prepare one official ballot containing the names of all qualified candidates for the major parties. Provides that when the following conditions have been met the names of candidates for nomination by any major party must be printed upon the ballot: (1) lawful petitions signed by at least 1,000 voters, together with a written consent of the person to the printing of his name on the ballot, are filed with the seretary of state; (2) petitions are filed not later than 5:00 p.m. on the third Monday of January preceding the primary election; (3) a person's name is listed as a candidate on the primary ballot of not more than one party in the same election; and (4) each petition is accompanied by a filing fee of $500 (the filing fee will be waived if the petition is accompanied by an affidavit of the candidate that both the candidate and his or her campaign committee are without sufficient funds to pay the fee).

Provides that the secretary of state must specify in writing why any petition does not conform with specifications and must return the petition to the candidate within seventy-two hours from receipt. Provides that a supplementary petition may be filed not later than ten days after the date for filing petitions.

Specifies the form of ballot as follows. There will be one column for each political party for president; the names of all candidates will be listed in alphabetical order; and a voter may vote for one candidate of one party, either by placing a mark opposite the printed name or by writing in the name of the candidate of his choice.

Provides that the checklist for the preference primary will be the same as that used at the annual town meeting; residents of unorganized towns will be added to the list, in the prescribed manner, with the statement included next to their name that they are ineligible to vote on town meeting items. Specifies when and how the checklist must be updated.

Provides that the appropriate provisions of the election code will apply to presidential preference primaries, unless clearly inconsistent with the particular provisions governing such primaries.

Provides that delegates and alternates to the national convention of each major political party will be selected at a party convention during the third week of May in each presidential election year.

Specifies that not later than 5:00 p.m. on the forty-seventh day before the day of the general election, the chairman of the state committee of each major political party will certify in writing to the secretary of state, the names of the presidential and vice-presidential nominees selected at that party's national convention.

Provides that after adjournment of the platform convention of a major political party, the chairman and secretary of the convention must promptly execute a sworn statement certifying the names, towns of residence, and correct mailing addresses of the persons nominated by the convention to serve as electors; such statement must be promptly filed with the secretary of state along with the written consent of each person to be a nominee for elector.

Specifies when the canvassing board must meet and issue its certificates of election.

Provides that electors must meet at the state house on the first Monday after the second Wednesday in December next following their election, to vote for President of the United States. Provides that if there is a vacancy in the electoral college on that day for any reason, the other electors present will fill such vacancy by a voice vote and by a plurality of votes. Provides that if such vacancy is filled the electors must attach a statement to the certificate of their votes showing how the vacancy occurred and their action. Specifies that the electors must vote for the candidates for President and Vice-President who received the greatest number of votes at the general election.

HB 308, Act 198, Approved 5/6/80

States that no person acting on behalf of a major political party shall accept any contribution or make any expenditure unless the party has a current certificate of organization on file with the secretary of state.

Provides that in each odd-numbered year the chairman of the state committee of a party shall set a date for members of the party to meet in caucus in their respective towns for the purpose of electing a town committee. Notice of the date and purpose of the caucuses shall be sent to each town clerk and town chairman of the party at least fourteen days before the date of the caucuses. The hour of the caucus shall be set by the town chairman and notice of such caucus shall be posted at least five days before such caucus.

Specifies that if the voters of the party fail to hold a caucus on the day designated, any three or more voters may call and hold a caucus any time thereafter.

Provides that the chairman and the secretary of the town committee shall mail to the secretary of state, the chairman of the state and county committees and the town clerk a copy of the notice calling the meeting and a certified list of the names and mailing addresses of the officers of the county committee within seventy-two hours after the caucus.

VERMONT CONT'D

Provides that the chairmen of the state and county committees shall set a date for the first meeting of the county committee of the party not more than thirty days after the date of the party's caucus. The chairman of the state and county committees shall notify all delegates and members-elect by mail and shall publish notice in at least two newspapers having general circulation within the state.

States that a certificate of organization shall be filed in the office of the secretary of state within ten days after the first meeting of the state committee of a party.

Requires every committee of a political party to elect a chairman, vice chairman, secretary, treasurer, assistant treasurer and other officers as it deems appropriate to its work.

Authorizes every committee to adopt rules and bylaws. Such rules and bylaws shall be filed with the secretary of state.

Provides that all votes shall be taken by secret written ballot at every caucus or meeting of a political committee if there is a contest for nomination, recommendation or election to any office or position.

Provides that in each even-numbered year a party platform convention of each political party shall be held to make and adopt the platform of the party. Presidential electors shall be nominated in presidential years.

Makes various other minor and technical additions.

HB 706, Act 200, Approved 5/6/80

Includes the word "Australian" when describing a certain type of ballot election.

Provides that a copy of the most recent checklist of the persons qualified to vote will be made available by the town clerk to the chairman of each political party upon request and free of charge.

Stipulates that the town clerk must call at least one meeting of the board of civil authority for the purpose of revising the checklist after the deadline for filing applications and before the day of an election.

Adds that if one of the major political parties is underrepresented on the board of civil authority (less than three members) the legislative body must appoint from a list of six names submitted to it by the underrepresented party, a sufficient number of voters to bring that party's membership on the board to three. Provides that no person's name may be submitted unless that person consents to serve if appointed.

VERMONT CONT'D

Provides that a person may file an application for addition to the checklist any time after his or her seventeenth birthday; provides that if a person files the application before his or her eighteenth birthday, it must be indicated on the application that the freeman's oath has not been taken; specifies the procedures to be followed to insure that the person's name is included in the checklist before the next election which occurs after the applicant has become eighteen years old; provides that the person may take the freeman's oath at any time on or after his or her eighteenth birthday, including on the day of an election.

Provides that any person whose application to vote has been rejected or whose name has been removed from the checklist may appeal to any superior or district judge in the county or district in which the applicant claims residence.

Provides that the board of civil authority may consider the eligibility of persons on the checklist at any time and may remove names of persons no longer qualified to vote; requires the board to review the most recent checklist by September 15 of each odd-numbered year.

Disqualifies voters who have not cast a ballot within the last three years instead of disqualifying voters who have not voted in the last two general elections. Provides that a voter must have at least thirty days to respond after the date a notification of ineligibility to vote is sent to the voter by the board of civil authority.

Provides that a voter's signature on a petition will not be valid unless at the time he signs the voter is registered and qualified to vote for the candidate whose petition he signs. Stipulates that petitions must contain the name of only one candidate except that presidential and vice-presidential candidates may be nominated by the same certificate of nomination.

Outlines the procedures to be followed if a filed primary petition does not conform to specifications. Provides that supplementary petitions will not be accepted if petitions with signatures of different persons totaling at least the required number were not received by the filing deadline.

Outlines the procedures to be followed by the chairman and the secretary of the committee making a nomination for office, specifying the correct form for the statement of nomination and with whom the statement must be filed.

Requires candidates and nominees for presidential elector to file a consent form agreeing to having their names printed on the ballot.

Provides that if the political or other name on the certificate of nomination is not substantially different from any name already qualified to appear on the ballot, the candidate must select a different political or other name. Provides that except for a presidential and vice-presidential candidate, the word "independent" may not be used as part of a party name; if no party is indicated, the word "Independent" must be printed on the ballot.

VERMONT CONT'D

Requires that the secretary of state organize regional workshops for election officials; requires that the regular presiding officer of each town attend at least one workshop every two years; requires the town clerk to provide the secretary of state with the names and addresses of all members of the board of civil authority.

Outlines the procedures to be followed concerning the printing and distribution of new ballots following the death or withdrawal from nomination of the original candidate.

Requires the secretary of state to make regulations for the use of voting machines which cover any of the following areas: (1) the format of machine programs for the primary and general elections; (2) the content of summary sheets; (3) the content of all voter instruction materials provided by a town; (4) security before and after the election; (5) obtaining and recording machine totals; (6) duties of election officials; (7) availability of mechanics during polling hours (8) disposition of checklists, summary sheets and machine materials after the election; and (9) other matters pertaining to the proper use of voting machines.

Provides that a town must make a demonstrator voting machine available to citizens at each polling place during all polling hours; recommends that a demonstrator machine be available at certain other locations and times. Specifies certain other miscellaneous requirements for voting machines.

Specifies that signs which are furnished by the secretary of state must be posted on or near ballot boxes telling voters to deposit their own ballots in the ballot boxes; this requirement does not apply to unvoted ballots in primary elections.

Provides that the secretary of state must prepare official information cards which must be posted in at least two public places within the town not less than ten days before the election. Provides that the cards will include instructions on how to obtain ballots, mark them, get help marking them and obtain new ballots in place of those accidentally spoiled; information about offenses relating to elections; directions on obtaining assistance if there is a problem on election day and other helpful information.

Provides that the town clerk, upon request, must deliver a sample ballot to any high school or other educational institution in the town.

Adds the provision that absentee ballots will only be allowed in elections using the Australian ballot system.

Provides that an authorized "family member" or any other person who presents written authorization from the absent voter, may apply for an absent voter ballot in behalf of an absent voter. Defines "family member" as a person's spouse, children, brothers, sisters, parents, spouse's parents, grandparents, and spouse's grandparents.

VERMONT CONT'D

Provides that an official federal post card application will suffice as a simultaneous request for an application for addition to the checklist and for an absentee ballot for a qualified citizen living in a foreign country or a qualified person serving in the military.

Deletes the requirement that a physician's certification of illness or physical disability be filed before a ballot is either mailed or delivered by the justice of the peace to voters unable to cast ballots at the polling place.

Provides that officers who assist absent voters who are blind or who are physically unable to go to the polls must do so in the presence of one other officer and must not divulge any information regarding the choice of the voter.

Specifies how ballots must be deposited in primary elections; requires that the voter separate all sections on the perforations and fold each section separately, hand the unvoted ballot to the election official who deposits it in the receptacle marked for unvoted ballots, and then place the voted ballot in the ballot box.

Provides that ballots must be counted at the polling place where they are cast except where the secretary of state determines that it would not be practical.

Provides that votes for an office can be recounted if the difference between the number of votes cast for a winning candidate and the number of votes cast for a losing candidate is less than five percent of the total votes cast for all the candidates for an office, divided by the number of persons to be elected.

Provides that any voter may file an election contest within fifteen days after the election in question, or if there is a recount, within ten days after the court issues its judgment on the recount.

VIRGINIA

SB 129, Chapter 695, Approved 4/5/80

Provides that any office which is mentioned in art. VII of the state constitution and any of the following offices must not be held in conjunction by the same person: a) treasurer; b) sheriff; c) attorney for the commonwealth; d) clerk of the court in the office where deeds are recorded; e) commissioner of the revenue; f) supervisor; or g) councilman. This prohibition is subject to a list of exceptions, including a new exception which permits a member of a local governing body to serve as a member of a board of directors, governing board or advisory council of an area agency on aging provided for by sec. 2.1-373 of the Code of Virginia.

States that except as specifically provided in general or special law, no board mentioned in the excepted list of positions will be comprised of a majority of elected officials as members, nor can any county or city be represented on such board by more than one elected official.

SB 424, Chapter 639, Approved 4/4/80

Provides that when the circuit judges fill a vacancy of the county and city electoral board, the clerk of the circuit court must send a copy of each order making an appointment to an electoral board to the state board of elections.

Provides that the chairman and the secretary of the county and city electoral board must represent the two political parties which received the highest and the next highest number of votes in the preceding gubernatorial election unless the representative of the political party having the second highest nunber of votes at the last preceding gubernatorial election declines in writing to accept either of such offices.

Provides that in appointing officers of election, an electoral board should appoint an equal number of representatives of the political parties, except in precincts having an odd number of officers of election there may be a variation from equality by no more than one.

Provides that in cities and counties where council members are elected from separate districts or wards, election districts or precincts must be wholly contained within the separate districts or wards.

Deletes the requirement that the general registrar publish paid advertisements in a general circulation newspaper in the county or city at least twenty days before every primary and general election of registration procedures for voter transfer.

Includes the following persons otherwise qualified to vote as being qualified to register by absentee application: a) members of the armed forces and their spouses or dependents who are normally absent from the city or county of residence; b) persons and their spouses or dependents who reside temporarily outside of the U.S. because of employment; and c) members of the Merchant Marine of the U.S. and their spouses or dependents.

VIRGINIA CONT'D

Provides that any registered voter may have his or her name removed from the registration books and central registration roster by signing an authorization for cancellation form in person at the office of the registrar.

Provides that a person is eligible for temporary registration by absentee application when residing outside the U.S. if it is stated whether or not he or she has a valid passport or card of identity and registration issued by the secretary of state.

Requires that one polling place be established by ordinance for each town except where the town council establishes voting precincts under the provisions of sec. 24.1-39 of the Virginia Code Annotated. Deletes the section which authorized the officers of election to fix voting places if they are not fixed by ordinance.

Provides that officers of election must be chosen from a list of persons qualified to serve which is submitted to the secretary of the electoral board by the two political parties casting the highest and next highest number of votes at the last gubernatorial election.

Requires that the electoral boards send a copy of each printed ballot, voting machine ballot and statement of the number of ballots ordered to be printed to the state board of elections. Provides that the state board of elections may direct the local electoral boards to increase the number of ballots printed.

Specifies that the following entities are authorized to place additional names on the ballot following procedures specified in secs. 24.1-166 through 24.1-168 of the Virginia Code Annotated, where a party nominee dies or withdraws after the time has expired for qualifying: a) the political party of the deceased or withdrawn nominee; b) any other political party which did not offer an opposing candidate to the deceased or withdrawn nominee; and c) any nonparty candidate.

Provides that political party candidates will be listed on the ballot first with each political party position within this category determined by lot.

Specifies that independent candidates will be listed on the ballot under political party candidates. Provides that each independent's position within this category will be determined by lot by the state board of elections.

Specifies that groups qualifying for a party name through petition in presidential elections under sec. 24.1-159, will be treated as a class and will follow independents on the ballot.

Allows the officers of election to change part of the pollbook format although the same information is required.

Stipulates that the state board of elections must meet and make a statement as to the number of votes cast and issue a certificate of election for any officer shared by more than one county or city or combination rather than having the secretary make out and deliver a certificate of election.

Provides that the Virginia Freedom of Information Act will not apply to the certified abstracts of the votes or any other documents used by the state board of elections in ascertaining the results of any election until such results have been finally determined by the board.

Provides that the board of elections may extend the deadline set for the written statement of qualified voter and office holder which each candidate for any office of the commwealth is required to file.

Provides that no less than fifty qualified voter signatures are required in a petition of candidacy for membership on the governing body of any county or city containing one thousand or less registered voters. Provides that a candidate for office in a town having less than one thousand registered voters will not be required to file a petition.

Provides that there must be two pollbooks which follow the format specified in sec. 24.1-189 of the Virginia Code Annotated for each political party taking part in a primary. Directs the officers of election to enter the name of the appropriate party on the cover of the pollbook.

Provides that the state board of elections may experiment with ballots and ballot counting equipment in casting and counting absentee ballots in one or more counties and cities which have been designated by the board and which have met the following criteria: a) they have established central absentee voter election districts; and b) the local electoral board has submitted to the state board of elections a plan for the use of such ballots and equipment.

Provides that in case a voter asks for further instructions concerning the manner of voting after entering the voting booth, two election officers from different political parties should give instructions if possible.

Provides that absentee ballot applications must be signed in the presence of one subscribing witness.

Provides that the general registrar must enroll the name on each absentee ballot application on a list which must be regarded as a public record and must be available for public inspection and copying during office hours.

Provides that the Fair Elections Practices Act, sec. 24.1-251 et seq., applies to all the elections within the Commonwealth. Provides that these elections will not be subject to further regulation by local law.

Provides that all reports required under the Fair Elections Practices Act and filed in the office of the state board of elections will be available for copying by any qualified voter. Provides that the board must maintain a copying machine at its office to produce copies, at a reasonable charge rate, for any qualified voter requesting them.

VIRGINIA CONT'D

SB 538, Chapter 41, Approved 3/3/80

Provides that any primary election preceding the May, 1980, general election must be held on the second Tuesday in March, 1980.

Provides that all persons other than candidates for a party nomination or party nominees, who intend to be candidates at the May, 1980, general election in any locality in which the March primary will be held, must give notice not later than the closing of the polls on the primary election date.

SJR 53, Adopted 3/6/80

States that the Division of Legislative Services shall, upon request, advise and assist any locality in the reapportionment of the districts from which its local governing body is elected.

WASHINGTON

SB 3359, Chapter 3, Approved 2/6/80

Provides that a special state, county, city, town and district election may not be held on the second Tuesday in March (a date specified as being a normally acceptable special election date choice), if a statewide political party caucus by a major political party is scheduled for that day, but may be held on the third Tuesday in March.

Provides that this is the ruling statute regarding mandatory dates for holding elections except for those elections held pursuant to a home-rule charter adopted under art. XI, sec. 4, of the state constitution.

Provides that in any county holding an election on the second Tuesday in March of 1980 pursuant to a home-rule charter, any city, town or district where any portion of the registered voters of that city, town, or district reside within that charter county may hold special elections on that date.

SB 3362, Chapter 107, Approved 3/10/80

Provides that by July 1, 1980, each county auditor must prepare for public inspection and use, maps of the county and of each city or town within that county, clearly delineating precinct boundaries for the 1980 state primary and general election. These maps must be transmitted to the secretary of state by November 1, 1980, along with a listing of the census blocks and enumeration districts which are contained within each precinct.

Prohibits the office of the secretary of state from associating voting results in any manner with the maps and census information supplied by the county auditors.

HB 1434, Chapter 42, Approved 2/29/80

Specifies that when a special recall election date is set, the officer with whom the petition is filed shall serve a notice of the date of the election and a copy of the ballot synopsis of the charge as it will appear on the ballot to the officer whose recall is demanded. After a notice has been served, the officer whose recall is demanded may submit a response to the charge contained in the ballot synopsis to the officer with whom the petition is filed. Such response shall be submitted by the seventh consecutive day after service of the notice.

States that the ballots in a recall election shall contain the officer's response to the charge, if such has been filed.

Provides that if the recall of the prosecuting attorney is demanded, the determination of whether or not the acts complained of in the charge are acts of malfeasance, misfeasance or a violation of the oath of office as specified in the constitution, shall be made by the attorney general within fifteen days of the filing of the charge.

HB 1829, Chapter 48, Approved 2/29/80

Provides that in addition to other specified duties, the county auditor is to appoint a school official or school employee as deputy registrar for each common school and is to appoint as deputy registrar a person employed at each fire station which is convenient to the public.

WEST VIRGINIA

SB 76, Approved 3/21/80

Provides that any person who is an officer of any state, county, district or municipal political party executive committee shall not be eligible to serve as clerk of either house of the state legislature. Requires the clerk of each house to devote full time to his public duties to the exclusion of any other employment.

HB 1556, Approved 3/10/80

States that a candidate may run for or jointly hold the offices of county clerk and circuit clerk in counties which have operated and maintained a joint clerkship system as of January 1, 1978.

HB 1613, Approved 3/3/80

Relates to the form of general election ballots to provide for the rotation of candidates' names in order to assure that each candidate for an office from each party is opposite the name of each candidate for said office from the other party or parties on the ballot an equal number of times. Specifies that if any party fails to nominate or to fill a ballot vacancy for as many candidates as there are persons to be electecd to said office, the ballot shall be printed so as to provide that the space created by the vacancy shall be opposite the names of each of the candidates for said office from the other party or parties and equal number of times.

WISCONSIN

SB 235, Chapter 120, Approved 2/20/80

Authorizes any county, city, village or town to adopt an ordinance establishing a code of ethics for public officials and employees of the county or municipality and candidates for county or municipal elective offices. An ordianance adopted pursuant to this authorization may contain any of the following provisions: (a) a requirement that public officials, employees and candidates identify specified economic interests; (b) a provision directing the county or municipal clerk to omit the name of any candidate from the ballot if he fails to disclose his economic interests as required; (c) a provision directing the county or municipal treasurer to withhold the payment of salaries from any employee who fails to disclose his economic interests; (d) a provision vesting administration and civil enforcement of the ordinance with an ethics board; (e) specification of ethical standards of conduct and prohibition of conflicts of interest; and (f) a penalty of not more than $1,000 for each offense.

SB 362, Chapter 311, Approved 5/17/80

Defines "automatic tabulating equipment," "ballot," "ballot label," "electronic voting system," "polling place," "voting device," and "voting machine."

Requires that at each polling place where an electronic voting system is used at a partisan primary election the municipal clerk or board of election commissioners must post a sign warning the voter that no votes cast for any candidates for partisan office will be counted if the ballot is marked for candidates of more than one political party or for one political party candidate and one independent candidate.

Provides that every city or village with a population of 10,000 or more, with the exception of certain territory wihich is annexed to a city or village across the boundary of a legislative district, must use voting machines or electronic voting systems in every ward of the municipality. Provides that any other municipalities may adopt and purchase voting machines or electronic voting systems to use in any ward in the municipality.

Specifies the arrangement for ballots where voting machines or an electronic voting system is used.

Provides that at polling places where voting machines are used, each party and the independent candidates must be listed in a separate column on the ballot; provides that where an electronic voting system other than an electronic voting machine is used, each party and independent candidate may be represented in a separate column or row on the ballot.

Adds a new subchapter pertaining to electronic voting systems. Provides that the governing body of any municipality may adopt, experiment with, or discontinue any electronic voting system which has been approved by the election board.

WISCONSIN CONT'D

Stipulates that the following conditions, among others, must be present before the board may approve of any ballots, devices and equipment: 1) it enables an elector to vote in secret; 2) it enables an elector to vote a straight party ticket; 3) except for primaries, it enables an elector to vote for nominees from various parties, independent nominees and write-in nominees; 4) it accommodates all referenda to be submitted to the electors in the form provided by law; 5) the automatic tabulating equipment rejects any ballot on which votes are cast in the primary of more than one recognized political party; 6) it permits an elector, at a presidential or gubernatorial election, by one action to vote for the candidates of a party for president and vice-president or for governor and lieutenant governor, respectively; 7) it prevents an elector from voting for the same person more than once for the same office; 8) it maintains a cumulative tally of the total votes cast that is retrievable in the event of a power outage, evacuation or malfunction so that the record of votes cast prior to the time that problem occurs is preserved; and 9) the automatic tabulating equipment includes a mechanism which makes the operator aware of whether the equipment is malfunctioning.

Provides that whenever the statutes require the use of separate ballots or columns for offices, parties or referenda, and an electronic voting system using a ballot label or card is utilized, a single ballot may be used for all offices. Provides that separate write-in ballots must be provided where an electronic voting system is utilized whenever write-in votes are authorized.

Provides that automatic tabulating equipment must be tested not more than ten days prior to election day. Outlines procedures to be used for receiving, counting, tallying and returning the ballots. Provides that except for write-in votes and paper ballots used for absentee voting, no ballots may be counted at the polling place if a central counting location is designated for that purpose. Outlines procedures to be followed at the central counting location; stipulates that the municipal clerk is the official in charge; provides detailed instructions on maintaining the integrity of the ballots, tabulating the votes and transferring the tabulation to tally sheets.

Specifies how ballots will be counted when a voter casts more votes for an office then he or she is allowed to cast or whenever the number of ballots exceeds the number of voting electors.

SB 620, Chapter 354, Approved 6/19/80

Amemds sec. 10.62 to 10.82, which list election occurrences for the spring primary and election and the September primary and general election which affect the elections board, county clerk, local clerk and governing body, and candidates. Also lists public and general provisions relating to the spring primary and election and the September primary and general election.

WISCONSIN CONT'D

Reduces the number of election reports which are required to be filed by candidates and political party committees for primary and general elections.

Provides that a declaration of residence is to be filed along with nomination papers.

Changes the day the committee convenes to determine the candidates for the presidential preference determination.

Changes the deadline for removing a candidate's name from the presidential preference ballot as well as the deadline for submitting a petition to the board for placement on the presidential preference ballot for any person who is seeking endorsement by national convention of a political party for the office of president.

Provides that the county clerk transmit to the board a statement of votes cast for certain offices within a certain time after the primary and the general election.

Provides that under certain circumstances after a municipal caucus the municipal clerks must certify the list of candidates for municipal office and municipal referenda to the county clerk unless the municipality prepares its own ballots or no state or county election is held.

Provides that in municipalities which employ an electronic voting system a deadline is established for the placement of demonstrator electronic voting systems and for the public testing of automatic tabulating equipment.

Specifies a deadline before and after certain elections in which the municipal clerk is required to file a registration and voting report with the board.

Specifies a deadline before certain elections for receipt of applications for absentee ballots by mail and in person.

Specifies a deadline for any candidate in the spring election who filed an application to participate in the Wisconsin election campaign fund to withdraw the application.

Provides deadlines before certain elections in which the municipal clerk must publish certain types of notices for municipal office or municipal referenda. Provides that if electronic voting systems employing a ballot card or label are used in the municipality, the notice must include all offices and questions to be voted on at the election.

Provides that nomination papers may be circulated no sooner than the day the order for the special election is filed and must be filed no later than twenty-eight days before the special primary.

Specifies when a special election can be held and when the board may send a certified list of candidates for a special election to the county clerk.

SJR 5, Adopted 4/2/80

Proposes an amendment to the Wisconsin Constitution which would amend the section relating to primaries in recall elections.

Provides that qualified electors may petition for the recall of any incumbent elective officer after the first year of the term for which the incumbent was elected.

States that when more than two persons compete for a nonpartisan office in a recall election, a recall primary must be held. Provides that the two persons receiving the highest number of votes in the recall primary will be the two candidates in the recall election, except that if any candidate receives a majority of the total number of votes cast in the recall primary, that candidate will assume the office for the remainder of the term and a recall election will not be held.

Provides that for any partisan office, a recall primary must be held for each political party which is by law entitled to a separate ballot and from which more than one candidate competes for the party's nomination in the recall election.

Provides that independent candidates and candidates representing political parties not entitled by law to a separate ballot will be shown on the ballot for the recall election only.

Specifies that a recall election will be held on the Tuesday of the fourth week after the recall primary or, if that Tuesday is a legal holiday, on the first day after that Tuesday which is not a legal holiday.

Resolves that this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for three months previous to the time of holding such election.

AB 322, Chapter 260, Approved in Part and Vetoed in Part 4/30/80

Defines the term "election" to mean every public primary and election.

States that the established boundaries of each ward shall remain unchanged until a further decennial census of population indicates that the population of a ward is then above or below the applicable population range (at least 1,000 but not more than 4,000 inhabitants). If the population of a ward has increased above the maximum population range, such ward shall be divided into two or more wards.

If the population of a ward has decreased below the minimum of its population range, it shall, if possible, be combined with an adjoining ward or the under-populated ward and one adjoining ward shall be combined and together be subdivided into two or more wards. Also defines "population" to mean the population by census enumeration district or urban block established in the most recent federal decennial census of population.

Provides that the wards established by municipal governing bodies on the basis of the results of the 1980 census of population shall be for the purpose of local elections beginning on January 1, 1982 and thereafter unless revised on the basis of the 1990 census of population.

Specifies that if electors of more than one ward use the same polling place, separate ballot boxes shall be used for each ward.

Provides that whenever a primary is held for an office, a second drawing of all candidates for that office shall be held under the supervision of the board no later than the third day following the completion of the primary canvass to determine the arrangement of candidates on the election ballot. The arrangement of rows on voting machines shall be determined by the board at the same time as other arrangements are determined.

States that whenever the number of candidates for any office requires the use of more than one row on a voting machine, the official or agency having the responsibility to determine ballot positions shall require that the rows be rotated in such manner that all rows appear on top or to the left if vertical rows are used in an equal number of wards or election districts. If the number of wards and election districts in which voting is conducted is not equally divisible, the position of the rows in the remaining election districts shall be determined by by the official or agency by the drawing of lots.

Specifies that the official ballot shall contain a space, following the independent candidates for each office, for the elector to write in the name of a candidate of his or her choice for that office.

States that the county clerk shall provide printed ballots for every election in his or her county for all national, state and county offices and for state and county referenda.

Provides that voting machines recorders may be cleared and reactivated twenty-one (formerly fourteen) days after any primary and thirty (formerly sixty) days after any other election unless there is a demand for a recount, notice of an election contest or litigation pending with respect to that election.

Specifies that if any person signs nomination papers for two candidates for the same office in the same election at different times, the earlier signature is valid and the later signature invalid. If any person circulates a nomination paper for two candidates for the same office in the same election at different times, the earlier paper is valid and the later paper is invalid.

States that no statement of party or prinicple may be included in the nomination papers of independent candidates for the general election. States also that nomination papers be filed in the office of the county clerk or board of election commissioners for county offices and in the office of municipal clerk or the board of election commissioners for city offices and offices voted for exclusively within the municpality.

Changes the day by which any person seeking the nomination by the national convention of a political party may submit a petition to have his name printed on the presidential preference ballot and the day by which a person may file a disclaimer stating that he or she is not and does not intend to become a candidate at the forthcoming presidential election.

Amends sections of the election code pertaining to voter registration and makes provisions for municipalities without registration.

Makes various minor and technical changes with regards to the appointment of election officials, canvassing of votes and filling of vacancies through special elections.

AB 400, Chapter 200, Approved 4/24/80

Provides that at 9:00 a.m. on the day following the last day for filing a ballot recount petition the board of canvassers will reconvene to recount the ballots and check the accuracy of any petition statements.

AB 459, Chapter 110, Approved 2/20/80

Changes the terminology specifying the disqualification of voters from those persons who are "non compos mentis, insane," to those persons who are "incapable of understanding the objective of the elective process."

AB 552, Chapter 232, Approved 4/30/80

Provides that age be included in the definition of absentee elector. However, specifies that no person under the age of seventy qualifies as an absent elector solely because of age.

States that when an absentee ballot arrives at the office of the municipal clerk, the clerk shall enclose it in a carrier envelope securely sealed and endorsed with the name and official title of the clerk.

AB 603, Chapter 328, Approved 5/7/80

See Section II for a summary of this law.

AB 607, Chapter 235, Approved 4/30/80

Provides that the governing body of every municipality with a population of 10,000 or more must require the use of voting machines at every election. Provides that any other governing body may adopt and purchase voting machines for use at any election.

AB 846, Chapter 246, Approved 4/30/80

Provides that presidential electors must vote for a President and Vice-President from one of the following categories of candidates: (1) candidates of the political party which nominated them; (2) independent candidates who have filed nomination papers; or (3) candidates who fulfilled the requirements which qualify them to be write-in candidates. Stipulates that at least one of the persons for whom the electors vote may not be an inhabitant of Wisconsin. Also provides that an elector is not required to vote for a candidate who is deceased at the time of the meeting.

AB 902, Chapter 249, Approved 4/30/80

Provides that each candidate must file with his or her nomination papers, a sworn declaration that the candidate will qualify for the office, if elected, and a declaration of residence. Requires that a subsequent declaration be filed if a candidate changes his or her residence to a location outside of the jurisdiction or district in which the candidate seeks office.

Provides that any person may file a verified complaint with the attorney general stating the facts which cause the person to believe that residency requirements have not been met by a person holding or elected to a state public office. Provides that the attorney general may investigate these allegations. Specifies the procedures to be followed if the person who is holding or elected to office is not qualified because of failure to meet a residency requirement.

WYOMING

HB 114, Chapter 31, Approved 3/5/80

See Section II for a summary of this law.

SECTION II - STATE CAMPAIGN FINANCE SESSION LAWS

ALASKA

HB 3, Chapter 100, Approved 6/20/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Increases, effective January 1, 1981, the maximum tax credit allowed for political campaign contributions made within the tax year from $50 to $100. Also specifies that this credit is available only to a natural person who is a resident of the state of Alaska.

ARIZONA

SB 1275, Chapter 239, Approved 4/23/80

Permits a candidate to be chairman of a campaign committee. Generally exempts personal and travel expenses not paid for from campaign funds from the definition of "expenditure." Requires every payment or disbursement by a candidate or campaign committee exceeding $10 which relates to the election (except for personal or travel expenses not paid for from campaign funds) to be evidenced by a receipted bill stating the particulars of expense. Every such record, voucher, receipt, or account is to be preserved for fifteen months after the election to which it relates.

Specifies that the form of reports is to be prescribed by the secretary of state and will be subject to the approval of the attorney general. Requires campaign finance reports to be filed by a campaign committee which engages in political activity against a candidate. (Formerly, reports were required only by a committee engaging in political activity in behalf of a candidate.) Specifies that reports are to be filed by a committee working in behalf of or against a judge who seeks to be retained in office. Requires the reports filed by candidates before and after general and special elections to include the addresses of contributors. (Formerly, only the names of contributors were required in these reports.)

Establishes opening and closing reporting dates for campaign finance reports. Provides that a candidate or campaign committee which receives or makes any campaign contributions or expenditures subsequent to the closing date for the post-election statements which would otherwise be reported shall file a statement of collections and expenditures on or before April 1 of each year until a disposition of all contributions and expenditures is made or no contributions or expenditures are made or received which have not been previously reported. A candidate or campaign committee may dispose of the surplus funds in any lawful manner, including retaining them for use in a subsequent campaign, returning them to contributors, or giving them to a charitable organization or to the county or state committee of the political party of which the candidate is a member. A campaign committee may give the surplus funds to a political candidate as a contribution for use in a campaign or for the repayment of loans for campaign expenses.

Specifies that the provisions of this act become effective on January 1, 1981.

CALIFORNIA

SB 1613, Chapter 759, Approved 7/27/80

Prohibits the receipt of a contribution of $100 or more in cash. Specifies that a cash contribution shall not be deemed received if it is not negotiated or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported. If a cash contribution, other than a late contribution, is negotiated or deposited, it shall not be deemed received if it is refunded within seventy-two hours of receipt. In the case of a late contribution, it shall not be deemed received if it is returned to the contributor within forty-eight hours of receipt.

AB 1486, Chapter 289, Approved 7/1/80

NOTE: The following summary is based in part on the digest prepared by the state legislative counsel.

Amends the definitions of "candidate" and "committee" to provide that a candidate and committee retain their status as such during the post-election period until that status is terminated. Specifies that committees and candidates shall terminate their filing obligation pursuant to regulations adopted by the fair political practices commission which insure that a committee or candidate will have no activity which must be disclosed subsequent to the termination.

States that the term "contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are $500 or less.

Repeals provisions of the government code relating to the filing of campaign statements by candidates for county central committee, candidates for reelection to judicial office, and appointees to certain district offices. Also repeals the exemption from reporting requirements for candidates on behalf of whom $200 or less is received or expended. Provides that a candidate shall not be required to file any of the campaign statements called for by sec. 84200(c) of the California government code if, on or before the filing date for the first pre-election campaign statement, he files a declaration stating that less than $500 in contributions or expenditures will be received or made in behalf of or in support of his candidacy. However, the candidate must file the statements if $500 in contributions or expenditures are eventually received or made. Provides that whenever the filing of a campaign statement by a candidate or elected officer is called for by sec. 84200(c) of the government code, the candidate or elected officer may in lieu thereof file a statement that less than $500 has been received or expended or will be received or expended on behalf of or in support of his or her candidacy. The statement is also to contain the name, street address and treasurer of any committee of which he has knowledge which has received contributions or made expenditures on behalf of his candidacy and whether the committee is controlled by the candidate or officeholder.

CALIFORNIA CONT'D

Specifies that the fair political practices commission may by regulation or written advice permit candidates and committees to file campaign statements combining statements and reports that are required to be filed. Permits a candidate and any committee or committees which he controls to file consolidated campaign statements. These consolidated statements are to be filed in each place each of the committees and the candidate would be required to file if separate statements were used.

Provides that committees making independent expenditures and committees primarily formed or existing to support or oppose the qualification of a measure and proponents of a state measure must disclose specified information concerning persons who have received, indirectly or through an intermediary, payments of $100 or more for circulating petitions to qualify a ballot measure.

Requires the campaign statement to disclose the interest rate of a loan which is a contribution. Also requires the disclosure of the amount of the maximum liability of a person who is directly, indirectly, or contingently liable on a loan which is a contribution. Provides that a loan received by a candidate or committee is a contribution unless the loan is received from a commercial lending institution in the ordinary course of business or it is clear from the circumstances that it is not made for political purposes. A loan which is not a contribution, but which is used by a candidate or committee for political purposes, shall be reported in the specified manner.

Provides that a campaign statement must include, inter alia, in the case of an expenditure which is a contribution of $100 or more made during the period covered by the statement, the cumulative amount of contributions made to a candidate, elected officer or committee, the full name of the candidate, and the office and district for which he seeks nomination or election. States that for an expenditure of $100 or more which is a contribution in support of or in opposition to a measure, there shall be included in the statement the number or letter of the measure and the jurisdiction in which the measure or candidate is voted upon. Also requires a campaign statement to indicate, for each expenditure of $100 or more made during the period covered by the statement the amount of each expenditure and a brief description of the consideration for which each expenditure was made. Also, a statement must specify, in the case of a controlled committee, an official committee of a political party, or an organization formed or existing primarily for political purposes, the amount and source of any miscellaneous receipt.

Directs all candidates and committees to file campaign statements on July 31 and January 31 if they have made or received contributions or made expenditures during the six calendar months before the closing date of the statements. Provides that all elected officers shall file campaign statements no later than July 31 and January 31. However, this requirement is not applicable to elected officers whose salaries are less than $100 a month or to judges, unless such elected officer or judge is a candidate or committee which receives contributions or makes expenditures during the applicable six-month period. Requires the filing of additional campaign statements by candidates, elected officers, their controlled committees, and any committee formed primarily to support or oppose a candidate or a measure that has made or received contributions of $500 or more or made expenditures of $500 or more during specified threshold periods. These additional statements are also required of all other committees which, in an even-numbered year, have made or received contributions of $500 or more or made expenditures of $500 or more during the threshold periods. Additional reports are also required to be filed by all other committees which in an odd-numbered year have made contributions or independent expenditures of $500 or more during threshold periods. Specifies that the additional reports need not be filed by elected officers, candidates, their controlled committees and committees formed primarily to support or oppose a candidate whose activities within a threshold period consist only of receiving contributions and making expenditures solely in connection with their own or their candidate's campaigns. The filing exemption is applicable to any six-month period (from January 1 to June 30 or from July 1 to December 31) in which the candidate's office is not to be voted on or, in the case of an elected officer, when the elected officer is not a candidate for an office being voted on in a six-month period.

States that if an election is held on a date other than the first Tuesday after the first Monday in June, or the first Tuesday after the first Monday in November, candidates voted on in such elections, their controlled committees and committees formed or existing primarily to support or oppose such candidates or measures voted on in such election shall file campaign statements in connection with the election and shall also file the campaign statements referred to in the preceding paragraph for any six-month period in which such an election in not held. Also exempts such filers from certain other filing requirements. Specifies that committees formed or existing primarily to support or oppose the qualification of a measure and proponents of a state measure are to file campaign statements not later than thirty-five days after the deadline for filing petitions or the date of notification that the measure has either qualified or failed to qualify, whichever is earlier. Modifies certain other filing requirements as applied to such committees.

Extends certain filing requirements to committees making contributions of $15,000 or more to support or oppose candidates or state ballot measures in a special election not consolidated with a regularly scheduled state election.

Amends provisions relating to the filing of copies of campaign statements with the county clerk.

CONNECTICUT

SB 70, Act 80-223, Approved 5/13/80

Provides that no individual shall make a contribution or contributions to, or for the benefit, pursuant to the authorization or request of a candidate, a committee or a party, of any candidate's campaign for nomination at a primary, or of any candidate's campaign for election to any office of a town, city, or borough, in excess of $1,000. Specifies that this provision does not apply to the offices of state senator, state representative, or probate judge. States that no individual shall make contributions to the candidates designated in sec. 9-348r of the Connecticut General Statutes Annotated which in the aggregate exceed $15,000 for any single election and primary preliminary thereto. (In addition to the local offices mentioned above, sec. 9-348r is applicable to the offices of governor, lieutenant governor, secretary of state, treasurer, comptroller, attorney general, sheriff, state senator, state representative, and probate judge.)

SB 143, Act 80-212, Approved 5/13/80

Grants to the state elections commission the duty and power to levy a civil penalty of not more than $1,000 per offense against any person the commission determines to be in violation of any provision of chap. 150 of the Connecticut General Statutes Annotated (relating to campaign finance), after holding a hearing. In the case of failure to pay any such penalty within thirty days of written notice sent to such person, the commission may apply for a court order requiring the person to pay the penalty.

SB 144, Act 80-432, Approved 6/4/80

Prohibits a continuing political committee organized by a stock corporation or other business organization from making a contribution or contributions to or for the benefit of any candidate's campaign for election to the office of (a) governor in excess of $5,000; (b) lieutenant governor, secretary of state, treasurer, comptroller or attorney general in excess of $3,000; (c) sheriff in excess of $2,000; (d) state senator or probate judge in excess of $1,000; or (e) state representative in excess of $500. Also prohibits such a committee from making a contribution or contributions to or for the benefit of any such candidate's campaign for nomination at a primary to the offices indicated above in excess of the amounts indicated above. Also provides that no such committee shall make a contribution or contributions to such candidates which in the aggregate exceed $100,000 for any single election and primary preliminary thereto.

HB 5289, Act 80-272, Approved 5/14/80

Defines "candidate" for purposes of the campaign financing laws (chap. 150 of the Connecticut General Statutes Annotated) as an individual who seeks nomination for election or election to public office. An individual is deemed to seek nomination or election if he has (a) taken the action necessary under state law to qualify for nomination or election or (b) solicited or received contributions or made expenditures or given his consent to any other person to solicit or receive contributions or make expenditures with the intent of bringing about his nomination or election.

HB 5292, Act 80-281, Approved 5/15/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Deletes the prohibition on contributions by an organization political committee to a political issue committee.

Amends certain restrictions on contributions made or received by various committees to or from a national committee of a political party so that these restrictions apply to contributions to or from a "national committee," and not just to those to or from a national committee of a political party. For example, a political committee is now prohibited from making contributions to or receiving contributions from, inter alia, a national committee, whereas previously the prohibition was on contributions to or from a national committee of a political party. (However, it might be noted that "national committee" is defined by sec. 9-335(13) of the Connecticut General Statutes Annotated as the organization which is responsible for the day-to-day operation of a political party at the national level.)

Permits each candidate to designate a deputy principal campaign treasurer. (Formerly, a candidate was required to designate such a deputy.) Allows contributions to be made to a solicitor, as well as to a campaign treasurer or principal campaign treaurer.

Provides that each anonymous contribution received in excess of $15 by a continuing political committee, a candidate committee, a political committee, an organization political committee or political issue committee shall immediately be remitted by the campaign treasurer or principal campaign treasurer (formerly, by the committee treasurer) receiving such anonymous contribution to the state treasurer who is to deposit such funds in the general fund.

FLORIDA

SB 618, Chapter 292, Approved 7/1/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Permits a candidate who is required by sec. 106.141 of the Florida Statutes Annotated to dispose of campaign funds because he has withdrawn or been eliminated as a candidate, been elected, or failed to spend the funds within two years, to donate the funds to a charitable organization, instead of returning them to contributors or depositing them in the general fund of the state or a political subdivision, as previously provided. Provides that a candidate who has been elected and chooses to retain a portion of his surplus campaign funds to be used for legitimate expenses in connection with his public service may deposit such funds in a savings account. However, all deposits, withdrawals, and interest earned thereon must be reported at the appropriate reporting period. Permits an elected official who retains surplus funds to be used for official expenses to give such funds, upon leaving public office, to a charitable organization instead of to the general fund of the state or a political subdivision thereof, as previously provided.

GEORGIA

HB 1249, Act 995, Approved 3/20/80

Amends the Georgia Campaign and Finanacial Disclosure Act.

Declares that it is the policy of the state to require public disclosure of campaign contributions and expenditures when they are designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in any county or municipal election. Expands the definition of "campaign committee" to include any person or committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in any county or municipal election. Requires any campaign committee which accepts contributions or makes expenditures in regard to a proposed question on the ballot in a county or municipal election to file a campaign financing disclosure report. However, such report shall be required only if the campaign committee has received contributions or made expenditures which total more than $500. Such a report of a campaign committee is to be filed with the judge of the probate court of the county in the case of a county election or with the municipal clerk in the case of a municipal election. Any such report shall be filed fifteen days before the election and a final report shall be filed before December 31 of the year in which the election is held.

Specifies that all advertising pertaining to referendums must identify the principal officers of the campaign committee by containing the name and title of the principal officer.

Requires any campaign committee that accepts contributions or makes expenditures to bring about the recall of a public official to file campaign financing disclosure reports with the secretary of state. Such a committee is to file an initial report within fifteen days of the date when the official recall petition forms were issued to the sponsors. A second report shall be filed forty-five days after the filing of the initial report, and a third report shall be filed within fifteen days after the expiration date for acquiring signatures on the recall petition. A final report shall be filed prior to December 31 of the year in which the recall election is held.

HAWAII

SB 3146, Act 246, Approved 6/10/80

Defines "candidate's committee" as a committee which makes an expenditure or accepts a contribution in behalf of a candidate with the candidate's authorization. Specifies that a qualifying campaign contribution must be a monetary contribution. States that whenever a report is required to be filed with the campaign spending commission, "filed" means received in the office of the commission or the county clerk, whichever is applicable, by the date and time specified for the filing of the report.

Amends sec. 11-200 of the Hawaii Revised Statutes, relating to restrictions on transfers of campaign funds, to make that provision applicable to candidates, campaign treasurers, and candidates' committees. (Formerly, the provision was applicable to all committees, not just candidates' committees.)

Extends the applicability of certain provisions of the campaign financing laws to special elections. For example, the $2,000 limit as to contributions is now appliable to special elections, as well as to primaries, special primaries, and general elections.

Provides that there shall be no more than one fund raiser held for a person prior to a general or special election. Where a person seeks election to statewide office, he or his directly associated committee may hold not more than one fund raiser in each county prior to a general or special election. States that in addition to certain specifically itemized costs, all other direct costs incurred in solicitation of a fund raiser or fund raising activity will not be considered expenditures.

States that any candidate who knowingly receives in the aggregate more than $2,000 in any primary, special primary, special, or general election from a person shall be required to return any excess over $2,000 to the contributor. If the contributor cannot be found, the excess over the contribution limit is to be deposited with the state election campaign fund.

Declares that campaign contributions received in excess of the candidate's expenditure limit may be used after a general or special election for fund raising activities and any other politically related activity sponsored by the candidate. However, such contributions shall not be used for personal expenses or to qualify for public funding in any subsequent election, and are not to be transferred to another candidate as prohibited by sec. 11-200 of the Hawaii Revised Statutes. Also, such contributions are reportable.

Amends sec. 11-212 of the Hawaii Revised Statutes, relating to preliminary reports, to provide that each candidate, authorized person in the case of a party, or campaign treasurer in the case of a committee, shall file a preliminary report with the campaign spending commission or appropriate county clerk's office, on forms provided by the commission no later than 4:30 p.m. on the tenth working day prior to each election. Permits a candidate, party, or committee whose expenditures for the reporting period total $500 or less to file a short form report with the commission or appropriate county clerk's office in lieu of the reports otherwise required.

States that the final general report to be filed by a candidate, authorized person for a party, or campaign treasurer for a committee is to be filed no later than 4:30 p.m. on the thirtieth (formerly, twentieth) day after a general, special general, or special election. Provides that a candidate, party, or committee that receives no contributions, makes no expenditures, or has a deficit or surplus of $250 or less in any reporting period shall nevertheless be required to file preliminary, final, and supplemental reports. However, such reports may be filed on a short form.

Provides that upon the filing of a final report for any primary, special primary, special, or general election, each candidate who has spent an amount below the expenditure limit set for his office, but who has received the maximum amount of public funds allowable for his respective office, shall return all unexpended public funds to the Hawaii election campaign fund. (Formerly, a candidate in this situation was required to return a pro rata share of twenty per cent of any residual campaign contributions.)

IDAHO

HB 382, Approved 2/13/80

Amends sec. 63-3024B of the Idaho revenue and taxation code, relating to political contributions, by repealing the alternative tax deduction for political contributions, so as to allow only a credit (limited to $5 for an individual and $10 for a married couple filing a joint return) for such contributions.

KANSAS

SB 641, Approved 5/7/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Provides that in case of a vacancy in the position of treasurer of a candidate before all of the obligations of the treasurer have been performed, such candidate shall be his or her own treasurer from the date of the vacancy until the candidate appoints a successor and reports the name and address of the treasurer to the secretary of state. In case of a vacancy in the position of treasurer of a candidate committee, the candidate shall be treasurer from the date of vacancy or removal, until the candidate appoints a successor and reports the name and address of the treasurer to the secretary of state. In the event of a vacancy in the position of treasurer of a party committee or political committee, the committee chairperson shall be treasurer from the date of vacancy or removal, until the committee appoints a successor and reports the name and address of the treasurer to the secretary of state. Specifies that no resignation of a treasurer shall be effective until a written statement of resignation of the treasurer has been filed with the secretary of state. No removal of a treasurer of a party committee or political committee shall be effective until a written statement of removal from the party committee or political committee has been filed with the secretary of state.

KENTUCKY

SB 366, Approved 4/9/80

Amends the definition of "committee" to mean one of the following: (a) a campaign committee which is one or more persons who receive contributions and make expenditures to support or oppose one or more specific candidates for nomination or election to any state, county, city, or district office; (b) a political issues committee, which is three or more persons joining together to advocate or oppose a constitutional amendment or public question if that committee receives or expends more than $1,000; (c) a permanent committee, which is a group of individuals, including an association, committee, or organization, other than a campaign committee or party executive committee, which is established as, or intended to be, a permanent organization having as its primary purpose political activity, and which functions on a regular basis throughout the year; or (d) an executive committee of a political party.

Defines a "contributing organization" as a group which merely contributes to candidates, campaign committees, or executive committees from time to time from funds derived solely from within the group, and which does not solicit or receive funds from sources outside the group itself. Specifies that any contributions made by such groups in excess of $100 shall be reported to the registry of election finance.

Prohibits any person from becoming liable as surety, endorser, or guarantor for any sum in excess of the specified contribution limitation.

Exempts from the definition of "contribution" a loan of money by any financial institution doing business in the state that is made in accordance with applicable banking laws and regulations and in the ordinary course of business.

States that the prohibition on corporate political contributions shall not be construed to bar a corporation from making contributions in support of a position on an issue of public importance.

Directs the registry of election finance, upon the sworn complaint of any person or on its own initiative, to investigate alleged violations of the campaign finance law. If after a preliminary investigation the registry concludes that there is probable cause to believe that the law has been violated, it may hold a hearing to determine if a violation in fact occurred. States that if a hearing is held, the person complained against may choose whether the hearing shall be open or closed. At such a hearing, the person complained against shall have all of the protections of due process, including the right to be represented by counsel, the right to call and examine witnesses, the right to the production of evidence by subpoena, the right to introduce exhibits and the right to cross-examine opposing witnesses.

Provides that when the registry determines that the preponderance of the evidence shows a violation has occurred, it shall issue an order to the violator to comply with any one or more of the following requirements: (a) to cease and

desist from the violation; (b) to file the required reports or other documents; or (c) to pay a penalty of up to $100 per day for failure to file any required report or other document until it is filed. Permits the registry to refer cases in which it determines that there is probable cause to believe that there has been a wilful violation to the attorney general or to the appropriate local prosecutor for investigation and prosecution.

States that any person directly involved or affected by an action of the registry which is final, other than a determination to refer a violation to the attorney general or the local prosecutor, may seek judicial reveiw of such action. If judicial review is sought of any action of the registry relating to a pending election, the matter shall be advanced on the docket of the court.

Requires any person making an independent expenditure to file a report when he exceeds $100 per calendar year on forms provided by the registry of election finance.

Provides that in addition to other required reports, persons becoming candidates and campaign committees which register in the year before the year in which an election will be held in which the person supported is a candidate, shall file financial reports with the registry of election finance at the end of the first calendar quarter after the person becomes a candidate or following registration of the committee, and each calendar quarter thereafter, ending with the quarter just prior to the due date of the first pre-primary reports.

Requires each permanent committee to make a full report to the registry of all money, loans, or other things of value received by it from any source since the date of the last report, including the name, address and occupation of each person or group contributing in excess of $100, the amount contributed by each and the date of the contribution, and a complete statement of all expenditures authorized, incurred or made, other than independent expenditures. This report is to be made to the registry on the last day of the first calendar quarter following the registration of the committee with the registry and on the last day of each succeeding calendar quarter until such time as the committee terminates.

Provides that if the final statement shows an unexpended balance of contributions, continuing debts and obligations, or an expenditure deficit, the campaign treasurer shall file a supplemental statement of contributions and expenditures not more than thirty days after the deadline for filing the final statement. Subsequent supplemental statements are to be filed semi-annually thereafter on June 30 and December 31 until the account shows no unexpended balance, continuing debts and obligations, expenditures or deficit. Specifies that a candidate does not have to file supplemental reports if the debt is the candidate's personal note.

Relieves a candidate of the duty of personally filing reports and keeping records of receipts and expenditures if the candidate states in writing that within five days after personally receiving any contribution, he will surrender

possession of the entire contribution to the treasurer of his principal campaign committee. Also, the candidate must agree not to make any unreimbursed expenditure for his campaign.

Permits a candidate to designate one central campaign committee. (Formerly, a candidate was required to designate a central campaign committee.)

Specifies that campaign committees not authorized by, or which have been disavowed by the candidate, shall not include the name of the candidate as part of the committee's name and shall file required campaign finance reports and statements with the registry of election finance.

Permits a political party to use funds received under the state's program of public financing of election campaigns not only in support of the party's candidates in a general election, as previously permitted, but also for the administrative costs of maintaining a political party headquarters.

Amends several provisions relating to violations of the campaign finance laws to specify that the violator will be subject to criminal prosecution only if the offense was committed willfully.

LOUISIANA

SB 668, Act 786, Approved 7/31/80

Amends and reenacts sec. 1481 to 1511.11 of t. 18 of the Louisiana Revised Statutes. Defines terms, establishes reporting requirements, and provides for penalties and enforcement procedures under the Campaign Finance Disclosure Act.

Defines "candidate" for purposes of the Campaign Finance Disclosure Act as a person who seeks nomination or election to public office, except the office of President or Vice-President, presidential elector, delegate to a political party convention, United States Senator or Representative, or political party office.

Generally requires the following persons or their campaign treasurers to file disclosure reports: (a) each candidate for major office (governor, lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of agriculture, commissioner of insurance, commissioner of elections, superintendent of education, public service commissioner, justice of the supreme court, and any office with an election district that has a population of more than 250,000 persons) or district office (member of the state legislature, any office elected parishwide or in more than one parish, and any office with an election district of more than 35,000 persons); (b) each candidate for any other public office who makes expenditures in excess of $5,000 or who recieves a contribution in excess of the reporting amount, in the aggregate for the aggregating period; (c) each political committee; and (d) any person other than a candidate or political committee who accepts a contribution, other than to or from a candidate or to or from a political committee, if either the expenditures or contributions exceed $500 in the aggregate during the appropriate aggregating period. Reports are to be filed with the supervisory committee created under the Campaign Finance Disclosure Act, and copies (except for major office candidates and their committees) are to be filed with the clerk of court of the parish of domicile of the candidate, committee, or person.

Requires each political committee, including a subsidiary committee, that expects to receive or expend more than $500 during a calendar year to file a statement of organization annually after January 1 and no later than January 31. Prohibits a political committe from receiving contributions or making expenditures of more than $500 until a statement of organization has been filed. Also requires a political committee to file a statement of dissolution prior to dissolving.

Permits each candidate to designate one political committee as his principal campaign committee. Specifies that any committee, except a principal campaign committee, which is organized to support a single candidate shall be a subsidiary committee of the candidate or of the candidate's principal campaign committee unless the candidate files a statement in writing with the supervisory committee that the committee is not his subsidiary. States that the chairman of each political committee shall be its campaign treasurer, unless the committee appoints a campaign treasurer. Directs the chairman of each political committee to designate one or more national or state banks as the campaign depositories of the committee. Permits a political committee to maintain a petty cash fund for expenditures of up to $100.

Generally requires the campaign treasurer to keep records of contributions and expenditures. However, in the case of a single transaction involving the sale of campaign paraphernalia (e.g., campaign pins, flags, literature) which is for not more than $25 and the proceeds of which are received and deposited by a political committee, no record need be kept by the campaign treasurer for the recipient committee, except the total amount received and deposited from such sale and the fact that the amount was received from the sale. Similarly, in the case of a single transaction involving the sale of tickets to a testimonial or similar fund-raising event which is for no more than $100 and the proceeds of which are received and deposited by a political committee, no record need be kept by the campaign treasurer for the recipient committee, except the total amount received and deposited from the sale and the fact that the amount was received from the sale.

Establishes a schedule for filing of reports by political committees. Each committee participating in the election of a candidate for major office is to file a report no later than 180 days and again 90 days prior to the primary. Every committee is to file no later than thirty days and again ten days before the primary, and ten days prior to the general election. A committee that participates in the general election must also file forty days after the general election. If the final report of a political committee for an election shows a deficit, supplemental reports shall be filed annually by July 10 until the deficit is fully paid. A committee must also file an annual report by January 15. Provides that a committee must make a special report of certain contributions and expenditures in excess of specified amounts received or made during the twenty days preceding a primary or general election. Directs principal campaign committees to file consolidated reports for subsidiary committees.

Specifies in detail the contents of reports to be filed by political committees. The main information to be included in such reports is: the name and address of the committee, its officers, and the candidate it is supporting or opposing; the total of all contributions received by the committee during the reporting and the aggregating period; the full name and address of each person who has made one or more contributions to and which have been received and accepted by the political committee singly or in the aggregate during the aggregating period in excess of the reporting amount ($2,000 for a major office, $750 for a district office, and $250 for all other offices); the date and amount of each loan for campaign purposes and the name and address of the lender; the total of all expenditures made by the committee during the aggregating period and during the reporting period; the total expenditures made by the committee during the reporting or aggregating period by certain categories of expenditures (e.g., postage, television, radio) if the total for each category exceeds the reporting amount, together with a list of the name and address of each recipient of such expenditures and the total paid to the recipient if the total paid to the recipient exceeds the reporting amount; the full name and address of each person to whom expenditures have been made in excess of the reporting amount, singly or in the aggregate, during the reporting period; the amount and nature of debts owed by or to the political committee; the date and amount of each anonymous contribution received; and all other disbursements, not expenditures, and an explanation thereof.

Permits any political committee which did not receive a contribution in excess of the reporting amount and which did not make expenditures totaling in excess of $5,000 during the aggregating period, to file an affidavit setting out such facts in lieu of any disclosure report otherwise required by sec. 18:1491.6 of the Louisiana Revised Statutes, but a separate affidavit is required in lieu of each such report.

Contains provisions relating to reporting by candidates that are similar to those concerning reporting by political committees. Permits each candidate to designate a principal campaign committee and to furnish his records to such committee to be consolidated by the committee with its own reports. The committee is then required to file a consolidated report for the reports required of candidates and committees. In such a case, the candidate is not required to file separate reports. Provides that each candidate may designate subsidiary committees. Any candidate who designates subsidiary committees and who does not designate a principal campaign committee, shall receive all records of the subsidiary committees, consolidate them with his own records, and file a consolidated report for reports required for candidates and committees. Specifies that a candidate shall be his own campaign treasurer, unless he appoints a campaign treausrer. Directs a candidate to designate one or more national or state banks as his campaign depositories. Permits a candidate to maintain a petty cash fund for expenditures of no more than $100.

Establishes filing deadlines for reports of candidates. Each candidate for a major office shall file a report no later than 180 and again 90 days prior to the primary. Every candidate shall file thirty days and again ten days prior to the general election. A candidate who participates in the general election shall file forty days after the election. If the final report of a candidate for an election shows a deficit, the candidate and his treasurer shall file supplemental reports no later than July 10 of each year until the deficit has been fully paid. Additionally requires an annual report to be filed no later than January 15. Special reports must be filed as to certain contributions received or expenditures made in excess of specified amounts during the twenty days preceding a primary or a general election.

Specifies the contents of the reports to be filed by a candidate. Generally, such reports must contain information similar to that required in reports of political committees (see above). Allows any candidate who is required to file disclosure reports but who did not recieve a contribution in excess of the reporting amount and who did not make expenditures totaling more than $5,000 during the aggregating period, to file an affidavit setting out such facts in lieu of any report otherwise required by sec. 18:1495.4 of the Louisiana Revised

Statutes. However, a separate affidavit shall be required in lieu of each such report.

Establishes penalties for a variety of prohibited practices, including the failure to submit required reports and the failure to file reports in a timely manner. Prohibits any person from contributing money or materials or making loans to or in support of a candidate or to any political committee through or in the name of another. Specifies that this prohibition shall not apply to dues or membership fees of any membership organization or corporation made by its members or stockholders, if such membership organization or corporation is not organized primarily for the purpose of supporting, opposing, or otherwise influencing the nomination or election of any person to public office. Prohibits a candidate, political committee, or other person required to file reports from making any expenditure from funds the source of which is anonymous. Any contribution received from an anonymous source and deposited is to be reported and shall escheat to the state. States that any single transaction involving the sale of items such as political campaign pins, flags, and literature, which transaction is for not more than $25 and in which transaction the purchaser is not known, shall not be deemed to constitute a prohibited anonymous contribution. Furthermore, a single transaction involving the sale of tickets to a testimonial or similar fund-raising event, which transaction is for not more than $100 and in which transction the purchaser is not known, shall also not be deemed to constitute a prohibited anonymous contribution. Prohibits cash contributions of more than $300.

Declares that no profit or nonprofit corporation, labor organization, or trade, business, or professional association shall make any campaign contribution or expenditure unless specifically authorized to do so by: (a) vote of the board of directors of the corporation, of the executive board of the labor organization or of the trade, business, or professional association; (b) the president, vice-president, secretary or treasurer of a corporation or labor organization whom the board has specifically empowered to authorize such contributions or expenditures; or (c) vote of the membership of the labor organization.

MARYLAND

SB 198, Chapter 11, Approved 2/29/80

Requires the chairman and the treasurer of any central committee or of any political committee which continues in existence from year to year to file a report or statement of contributions and expenditures no later than the third Tuesday after any election or prior to taking office, whichever occurs first, in addition to filing reports at other previously required times.

Specifies that the late filing fee for each report or statement of contributions and expenditures that is not timely filed is applicable to any preelection report required by the Annotated Code of Maryland, art. 33, sec. 26-11(A)(1), 26-11(A)(2), 26-11(C), or 26-11(D). Adds Saturdays to Sundays and holidays as days that are excluded in computing the late filing fee.

SB 941, Chapter 349, Approved 5/6/80

Amends sec. 30-2 of art. 33 of the Annotated Code of Maryland, relating to reports of contributions made by persons who have done business with the state or a local unit of government. Changes the reporting periods covered by such reports.

MICHIGAN

SB 798, Act 181, Approved 7/2/80

Provides that the preelection campaign statement of a ballot question committee shall be filed not later than the eleventh (formerly, tenth) day before the election. The closing date for the statement shall be the sixteenth (formerly, fifteenth) day before the election.

Specifies that a ballot question committee supporting or opposing a statewide ballot question must file a campaign statement, of which the closing date shall be the twenty-eighth day following the qualification of the measure, not later than thirty-five days after the question is qualified for the ballot. If the question fails to qualify for the ballot, the ballot question committee shall file the statement within thirty-five days after the final deadline for qualifying, the closing date of which shall be the twenty-eighth day following the deadline. (Formerly, this requirement was applicable to a "ballot question committee," whereas it is now applicable to a "ballot question committee supporting or opposing a statewide ballot question.")

Provides for late filing fees in cases where a ballot question committee supporting or opposing a statewide ballot question, or a measure other than a statewide ballot question, fails to timely file its reports.

HB 5265, Act 215, Approved 7/18/80

Amends sec. 169.235 of the Michigan Compiled Laws Annotated, relating to the annual campaign finance statement. Provides that in addition to other campaign statements that must be filed, a committee, other than an independent committee, is to file a statement not later than January 31 of each year. The statement has a closing date of December 31 of the previous year. Specifies that the requirement of filing the annual statement will be waived if a postelection campaign statement has been filed which has a filing deadline within thirty days of the closing date of the annual campaign statement. No annual statement need be filed by a candidate committee for an officeholder who is a judge or a supreme court justice or who holds an elective office for which the salary is less than $100 a month and does not receive any contribution or make any expenditure during the time which would otherwise be covered by the annual statement. Also, a committee filing a statement pursuant to sec. 169.224(7) of the Michigan Compiled Laws Annotated is not required to file an annual statement. Specifies penalties for failure to file or late filing of the annual statement.

MINNESOTA

SB 1010, Chapter 362, Approved 3/18/80

Adopts provisions relating to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin county and having a population of 75,000 or more. Also adopts requirements for disclosure of economic interests by candidates and elected public officials of these jurisdictions. Specifies that the provisions of Minnesota Statutes Annotated, sec. 210A.22 to 210A.33, are inapplicable to the financing of campaigns for election which are subject to this act. States that the act applies only to elections for which the filing period opens on or after July 1, 1980.

HB 1121, Chapter 607, Approved 4/23/80

Relates generally to taxation and the operation and financing of state and local government. In regard to elections, extends the credit under sec. 290, subdivision 11, of the Minnesota Statutes Annotated, which is presently available for contributions to a political party or candidates for statewide or legislative office or for certain judicial positions, to contributions to all candidates for elective state or federal public office. A taxpayer may take a credit against the tax due of fifty percent of his contributions, with the maximum credit being $50 ($100 in the case of a married couple filing jointly). Provides that the credit is not allowed for a contribution to a candidate, other than a candidate for elective judicial office or federal office, who has not signed an agreement to limit his campaign expenditures in accordance with sec. 10A.32, subdivision 3b, of the Minnesota Statutes Annotated.

Extends certain provisions of chap. 10A (Ethics in Government) and chap. 210A (Fair Campaign Practices) of the Minnesota Statutes Annotated to campaigns to promote or defeat a ballot question. Prohibits a corporation doing business in the state from making an independent expenditure to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. Permits a corporation doing business in the state to make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot, or to express its views on issues of public concern. However, no such contribution shall be made to any candidate for nomination, election, or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate. Provides that for the purposes of sec. 10A.32, subdivision 3, of the Minnesota Statutes Annotated (which makes it a condition for the receipt of any money by a candidate from the state elections campaign fund that he agree to comply with the expenditure limitations, and not to accept contributions or allow approved expenditures to be made which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him and the amount which he receives from the state elections campaign fund), the amount of all contributions accepted by a candidate in an election year which equals the amount of noncampaign disbursements, and contributions and expenditures to promote or defeat a ballot question which are made by the candidate in that year, do not count toward the aggregate contributions and approved expenditure limit. (NOTE: The provisions that are summarized in this paragraph are contained in art. XVII of the act, and with the exception of the provision referred to in the preceding sentence and an amendment of sec. 10A.01, subdivision 10c, of the Minnesota Statutes Annotated to make that subdivision applicable to ballot question campaigns, art. XVII is essentially identical to art. II of HB 2304, which is summarized below.)

HB 2304, Chapter 587, Approved 4/22/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I. Also, various provisions of this law become effective at different times. The effective dates for the provisions that are summarized here are indicated in parentheses following each paragraph.

Provides that for the purpose of chap. 10A of the Minnesota Statutes Annotated (Ethics in Government), a "political committee" includes any association organized to promote or defeat a ballot question, including the sponsors of a petition, and any association that gives implicit or explicit consent for any other person to receive contributions or make expenditures to promote or defeat a ballot question. (effective upon ratification of constitutional amendment (proposed by this act) permitting initiative and referendum measures; would expire January 1, 1985)

States that in addition to other required reports, a political committee under chap. 10A organized to promote or defeat a ballot question shall file reports not later than five days after a petition to place the question on the ballot is certified by the secretary of state. Provides that no deduction or credit will be allowed for expenditures or contributions by a corporation to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot. (effective upon ratification of proposed constitutional amendment permitting initiative and referendum measures; would expire January 1, 1985)

Includes contributions and expenditures made for the purpose of promoting or defeating a ballot question within the definitions of "transfer" and "expenditure" that are applicable for purposes of chap. 10A of Minnesota Statutes Annotated (Ethics in Government). Amends the definition of "political committee" for purposes of chap. 10A to include any association whose major purpose is to promote or defeat a ballot question. Defines "ballot question" for purposes of chap. 10A as a question or proposition which is placed on the ballot and which may be voted on by all voters of the state. (effective day after final enactment)

Adds a provision to chap. 210A of the Minnesota Statutes Annotated (Fair Campaign Practices) which is applicable to ballot questions which may be voted on by the voters of one or more political subdivisions of the state, but not by all voters of the state. Provides that any individual, political committee, association, or corporation that makes any contribution or expenditure to promote or defeat a ballot question shall file reports at specified times with the official responsible for placing the question on the ballot. Specifies that each report is to show the following information, covering the period from the last report to seven days before the filing date: (a) the name and address of each committee, individual, or other person to whom aggregate contributions or expenditures in excess of $100 have been made to promote or defeat a ballot question, together with the amount, date, and purpose of the contribution or expenditure; (b) the total amount of contributions and expenditures made to promote or defeat a ballot question; and (c) identification of the ballot question which the individual, political committee, association, or corporation seeks to promote or defeat. (effective day after final enactment)

Prohibits any corporation doing business in the state from making any independent expenditure to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. Permits a corporation doing business in the state to make contributions or expenditures to promote or or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. However, no such contribution is to be made to any candidate for nomination, election, or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate. (effective day day after final enactment)

Proposes an amendment to the Minnesota constitution which would provide that the amount that may be spent by candidates for constitutional and legislative offices to campaign for nomination or election shall be limited by law. Directs the legislature to provide by law for disclosure of contributions and expenditures made to support or oppose candidates for state elective offices. (effective if adopted by the people at the 1980 general election)

Provides for the adjustment, according to the consumer price index, in each general election year of the expenditure limits for candidates for governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator and state representative. Increases from $1 to $2 (from $2 to $4 on a joint return) the amount that an individual may designate on his state income tax return to be paid from the general fund of the state into the state elections campaign fund. Makes provision for reallocation of moneys from the state elections campaign fund where a political party does not have a candidate for a particular office, or where a party does not distribute moneys received from the fund to its candidates. (effective upon ratification of the proposed constitutional amendment providing for expenditure limits and public disclosure of campaign spending)

Repeals the expenditure limits for candidates for governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator, and state representative. Specifies that the tax credit provided in sec. 290.06, subdivision 11, Minnesota Statutes Annotated, may be allowed for contributions to any candidate for statewide or legislative office (other than federal offices) or for certain judicial offices, without any agreement by the candidate to limit his campaign expenditures. (effective December 31, 1981, if the proposed constitutional amendment providing for expenditure limits and public disclosure of campaign spending is not ratified by the voters)

NEBRASKA

LB 535, Approved 4/17/80

Amends, effective January 1, 1981, provisions of the Nebraska Political Accountability and Disclosure Act.

Modifies the definition of "candidate" to include an individual who receives a contribution, makes an expenditure, or gives consent for another person to receive a contribution or make an expenditure with a view to bringing about the individual's nomination or election to an elective office, whether or not the specific elective office for which the individual will seek nomination or election is known at the time the contribution is received or the expenditure is made.

Amends the definition of "committee" to mean two or more individuals who receive contributions or make expenditures of over $400 for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election on one or more candidates, or the qualification, passage, or defeat of one or more ballot questions; or a candidate, corporation, or group whose primary purpose is to receive contributions or make expenditures and receives or makes more than $400 in contributions or expenditures, for the purpose of influencing or attempting to influence the action of the voters in regard to the nomination or election of candidates or the adoption of measures on the ballot. Defines "independent committee" as a committee other than a candidate, ballot question, or political party committee.

Requires each committee to have a treasurer who is a qualified elector of the state. Permits a candidate to appoint himself or herself as the candidate committee treasurer. Directs each committee to designate one account in a financial institution in the state as an official depository for the purpose of depositing all contributions which it receives and making all expenditures. Secondary depositories shall be used for the sole purpose of depositing contributions and promptly transferring the deposits to the committee's official depository.

Specifies that when any of the information required in a statement of organization is changed, such change is to be reported when the next campaign statement is required to be filed.

Provides that the second preelection campaign statement shall be filed not later than the tenth (formerly, fifteenth) day before the election. The closing date for this statement is the fifteenth (formerly, twentieth) day before the election.

States that if a committee did not raise, receive, or expend more than $1,000, it shall only be required to file a post-election campaign statement, which statement need only indicate that fact. After the committee raises, receives, or expends in excess of $1,000, it shall then file the campaign statement next due and all statements that are due thereafter.

Specifies the campaign statements to be filed by a ballot question committee.

Provides that a copy of the campaign statement of a district political party committee is to be filed with the election commissioner or, if there is no election commissioner, the clerk of the most populous county in the district. A copy of the campaign report of a county committee shall be filed with the election commissioner or, if there is no election commissioner, the clerk of that county. A copy of the campaign statement of any other committee not covered under sec. 49-1464 of the Revised Statutes of Nebraska shall be filed with the election commissioner or, if there is no commissioner, the clerk of the county of residence of a majority of the candidates for whom it made expenditures.

Provides that any corporation, labor organization, or industry, trade, or professional association without being a committee may make expenditures or provide personal services. It shall not be required to file reports of independent expenditures pursuant to sec. 49-1467 of the Revised Statutes of Nebraska, but shall file a report with the accountability and disclosure commission within ten days after the end of the calendar month in which any expenditure is made or personal service provided. Specifies that a corporation, labor organization, or industry, trade, or professional association may not receive contributions unless it establishes a separate segregated political fund which may be used only for the purpose of receiving such contributions and making expenditures in the manner provided for. Prohibits the corporation, labor organization, or association establishing and administering the separate segregated political fund from making any expenditure to the fund, except that it may make expenditures and provide personal services for the establishment and administration of the fund. All contributions to and expenditures from the separate segregated political fund are to be limited to money or anything of value obtained through voluntary contributions of the employees, officers, directors, stockholders, or members of the corporation, including a nonprofit corporation, labor organization, or industry, trade, or professional association and the affiliates thereof. Only expenditures to candidates and committees and independent expenditures may be made from such fund. Such a separate segregated fund is declared to be an independent committee and subject to all provisions of the campaign finance laws that are applicable to independent committees, and the corporation, labor organization, or industry, trade or professional association which establishes and administers the fund shall make the reports and filings required therefor.

Specifies that a candidate committee shall not make a contribution to or an independent expenditure in behalf of another candidate committee, except that a candidate committee may make a contribution to another candidate committee for a fund raising event of such other candidate committee.

Provides that no person or committee shall print, publish, or distribute in quantity campaign advertising which contains any statement, notice, or other material concerning a candidate, political party, or ballot question, without

also printing thereon the name of the person or committee responsible therefor. Specifies that this requirement is not applicable to windshield stickers, yard signs, bumper stickers, or to official ballot pamphlets, or cards containing only biographical and other factual information relating to a candidate and printed or reproduced at the request of that candidate or his candidate committee.

NEW JERSEY

SB 1176, Chapter 74, Approved 7/23/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Relates generally to public financing of gubernatorial election campaigns. Extends such financing to primary campaigns.

Repeals expenditure limitations, except for candidates in the primary and general election for governor who receive public financing. The amount which may be spent in aid of the candidacy of any such gubernatorial candidate is $.35 in a primary and $.70 in a general election for each voter in the state who voted in the last general election in a presidential election year. Specifies that such sums shall not include the traveling expenses of the candidate or of any person other than the candidate if such traveling expenses are voluntarily paid by that person and are not to be repaid to him by the candidate.

Limits contributions by a person (other than a candidate for governor) or a political committee to a candidate, a party committee, or to any other committee or person in aid of the candidacy of a candidate for nomination for election or for election to the office of governor to $800 in the aggregate in any primary or general election. This provision shall not be construed to prohibit a contribution or contributions in the aggregate not in excess of $800 in a primary and another contribution or contributions in the aggregate not in excess of $800 in a general election. Limits contributions by the spouse of a contributor to $800 in the aggregate in a general gubernatorial election. Provides that no candidate receiving public funds may make expenditures from his own funds, including any contributions from his own funds, in aid of his candidacy for nomination or election to the office of governor in excess of $25,000 for the primary and $25,000 for the general election.

Specifies that the legislature is to appropriate to the state election law enforcement commission out of the gubernatorial elections fund and, if necessary, out of the general treasury of the state, such sums as are necessary to carry out the public financing of gubernatorial elections. The legislature is to determine the proportion of the funds that is to be used in the primary and in the general election.

Directs each candidate in the primary and general election for governor to create, with the approval of the election law enforcement commission, an account in a national or state bank, into which all contributions are to be deposited. Provides that immediately after deposit in the bank account the candidate or his campaign treasurer or deputy treasurer may transfer or expend the moneys, except that no moneys deposited in a candidate's bank account for the primary may be expended for any candidate's general election expenses, and except that no moneys deposited in a candidate's bank account for a general election may be transferred or expended until the day following the primary or may be expended for primary expenses.

NEW JERSEY CONT'D

Provides that the campaign treasurer of a candidate for governor who is qualified to receive public financing in a primary election shall, upon application to the election law enforcement commission, receive in behalf of the candidate from the gubernatorial elections fund for campaign expenses moneys in an amount equal to twice the amount of not more than $800 of each contribution deposited in the candidate's primary election bank account. No payment is to be made from the fund to any candidate for the first $50,000 deposited in the candidate's bank account. Specifies that no payment from the fund is to be made prior to January 1 of the election year. States that the maximum amount that a candidate may receive from the fund for a primary shall not exceed $.20 per voter who cast a ballot in the state in the last presidential election.

Permits the campaign treasurer of a candidate qualified to receive public financing in a general gubernatorial election to receive, upon application to the commission, from the fund for general election campaign expenses, moneys in an amount equal to twice the amount of not more than $800 of each contribution deposited in the candidate's bank account. No payment is to be made from the fund for the first $50,000 deposited in the candidate's bank account. Provides that the payment from the fund to the candidate's treasurer for the general election shall not be made prior to the primary eleciton. Specifies that the maximum amount which a candidate may receive from the fund for a general election campaign is $.40 per voter who voted in the state in the last presidential election.

Provides that no contribution which is to be refunded or repaid at any time, no loan obtained pursuant to sec. 19:44A-44 of the New Jersey Statutes Annotated, no amount of a candidate's own funds in the aggregate in excess of $800, and no other moneys received by a candidate or his treasurer, except contributions of up to $800 in a primary or general election by a person (other than a candidate) or a political committee, shall be deposited in the primary or general election bank accounts of a candidate that are used for the purpose of determining the amount to which he is entitled from the gubernatorial elections fund. Instead, such contributions are to be deposited in separate bank accounts from which expenditures for the primary and general election campaigns may be made.

Prohibits any contribution by a county or municipal committee of any political party from being deposited into any candidate's bank accounts. Permits a state committee to forward to a candidate and have deposited into the candidate's general election bank account (the account used to determine the candidate's entitlement to moneys in the general election from the gubernatorial elections fund) money in aid of his candidacy.

Permits expenditures from the gubernatorial elections fund for election campaign expenses to be made for the following purposes, in addition to previously authorized purposes: payment of the cost of legal and accounting expenses incurred in complying with public financing laws and regulations; and payment of the cost of telephone deposits, installation charges, and monthly billings. Specifies that within six months after the primary and general elections, respectively, a candidate shall return to the fund the amount of any public funds used to pay such telephone deposits which are later returned.

NEW JERSEY CONT'D

Amends sec. 19:44A-44 of the New Jersey Statutes Annotated, relating to loans, so as to provide that any gubernatorial candidate in a primary or general election, or his campaign treasurer or deputy treasurer, may borrow funds from any national or state bank. Prohibits any person or political committee, other than the candidate himself or the state committee of any political party in a general election from endorsing or guaranteeing such a loan in an amount in the aggregate in excess of $800. Specifies that the endorsement shall constitute a contribution for so long as the loan is outstanding.

Permits contributions to a political committee associated with a person who becomes a candidate for governor in a primary which have been deposited in a campaign bank account pursuant to sec. 19:44A-12 prior to December 1, 1979, to be transferred to a separate bank account established pursuant to sec. 19:44A-32. Such transferred funds may be used and be eligible for matching public funds upon submission of documentation relative to identification of the contributor and contribution of the funds in accordance with applicable laws.

Prohibits any person, candidate, or political committee, otherwise eligible to make political contributions, from making any contribution for the purpose of a gubernatorial inaugural fund-raising event in the aggregate in excess of $250. Requires the person or committee sponsoring the event to make a full report of all contributions and expenditures relating to the event within forty-five days following the event.

OHIO

SB 251, Approved 4/2/80

Provides that a vacancy in the Ohio elections commission (which enforces the campaign finance laws) may be caused by death, resignation, or three absences from commission meetings in a calendar year, if such absences are caused by reasons declared insufficient by a majority vote of the remaining members of the commission. Specifies that no person may hold or be a candidate for any public office or serve on a committee supporting or opposing any issue or proposition at the time he takes office or during the time he serves as a member of the commission.

Amends the provision relating to identification of campaign advertising so as to specify that no person is to write, print, post, or distribute a notice, placard, advertisement, sample ballot, or any other form of general publication which is designed to promote the adoption or defeat of any issue, to promote the nomination or election or defeat of a candidate, or to influence the voters in any election, or make an expenditure for the purpose of financing political communications unless there appears on such form of publication the name and residence or business address of the chairman, treasurer, or secretary of the organization issuing the same, or the person who issues, makes, or is responsible therefor. Provides that the disclaimer "paid political advertisement" is not sufficient to meet this identification requirement. When an advertisement is issued by the regularly constituted central or executive committee of a political party, it shall be sufficiently identified if it bears the name of the committee and its chairman or treasurer. Specifies that the identification requirement does not apply to the transmittal of personal correspondence that is not reproduced by machine for general distribution. Authorizes the secretary of state to exempt from the identification requirement printed matter and printed communications such as campaign buttons, balloons, pencils, or like items, the size or nature of which makes it unreasonable to add an identification or disclaimer.

States that campaign communications by radio need not broadcast the residence or business address of the chairman, treasurer, or secretary of the organization responsible for the advertisement. However, a radio station must keep the residence or business address on file for six months and divulge it to any person upon request. Prohibits a person operating a broadcast station or any organ of printed media from broadcasting or printing any paid political communication that does not contain the required identification.

Prohibits anyone during a campaign from purposely making a statement that a candidate has been indicted for any crime without disclosing the outcome of any legal proceedings resulting from the indictment. Also prohibits the publication and distribution of a written or printed false statement concerning a candidate by a person if he either knows the statement to be false or acted with reckless disregard of whether it is false or not.

Provides that in any action before the Ohio elections commission, if the alle-

gations of the person who filed an affidavit are not proved, and the commission seeks neither civil nor criminal relief in court, the commission may find that the complaint is frivolous, and order the complainant to pay costs.

Prohibits certain conduct during the course of any campaign in advocacy of or in opposition to the adoption of any proposition or issue submitted to the voters. Among the prohibited conduct is the following: serving, or placing another person to serve, as an agent or employee in the election campaign organization of a committee which advocates or is in opposition to the adoption of any ballot proposition or issue for the purpose of acting to impede the conduct of the campaign on the proposition or issue or of reporting information to the employee's employer or the agent's principal without the knowledge of the committee; falsely stating the endorsement of or opposition to a ballot proposition or issue by a person or publication; publishing or distributing a false statement, either knowing the same to be false or acting with reckless disregard of whether it was false or not, that is designed to promote the adoption or defeat of any ballot proposition or issue.

PENNSYLVANIA

SB 543, Act 127, Approved 7/11/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Amends the definition of "valuable thing" so as to exclude from the definition certain categories of items. Provides than any of the categories excluded shall not be deemed a contribution or expenditure for purposes of reporting or record keeping. Examples of the de minimus items excluded from the definition of "valuable thing" are: voluntary personal services provided by individuals who volunteer their time on behalf of a candidate or political commitee; certain uses of the real and personal property of the candidate or volunteers for the candidate (up to specified dollar maximums for the use of personal property); and any unreimbursed payment for travel expenses made by any individual on behalf of any candidate to the extent that the cumulative value of such travel activity by such individual on behalf of any single candidate does not exceed $250 with respect to any single election.

Specifies that records of the names and address of contributors of over $10 shall be retained by the candidate or treasurer for three (formerly, five) years after the information is reported. Requires vouchers or copies of vouchers for all sums expended amounting to more than $25 to be retained by the candidate or the committee treasurer and to be available for public inspection and copying. (Formerly, such vouchers were to accompany campaign finance reports.)

Provides that in lieu of filing pre-election, post-election, and annual reports, a candidate for local office (including county, township, city, school district, magisterial district, town and borough offices), who does not form a political committee shall file an additional affidavit with his nomination papers stating that he: (a) does not intend to receive contributions or make expenditures in excess of $250 during any reporting period; (b) will keep records of contributions and expenditures; and (c) will file pre-election, post-election, and annual reports for any reporting period during which he receives contributions or makes expenditures in excess of $250.

Requires the annual report filed by all political committees and candidates to be complete as of December 31 of the prior year. (Formerly, such reports had to be complete as of January 15 of each year.)

States that each form designated by the secretary of the commonwealth for filing a post-election report shall contain a block which may be marked by the candidate or political committee designating it a termination report. If such report is so designated, then no annual report need be filed unless contributions were received or expenditures made subsequent to the time period for filing of such termination report. Provides that no candidate or political committee may terminate by way of a statement where the unpaid balance indicated in the previous report was greater than $250.

Provides that if a political committee makes aggregate expenditures of less than $250 or incurs aggregate debt of less than $250 during the calendar year to influence an election, it need not file an annual report. However, this exemption is not applicable to a candidate's political committee, a state or county committee of a political party or political body, or to a political action committee of a corporation or unincorporated association.

Specifies that a report or statement of expenditures and contributions shall be deemed to have been filed within the prescribed time if the letter transmitting the report or statement is transmitted by first class mail and is postmarked on the day prior to the final day on which the report or statement is to be received. However, this provision is not applicable to reports of late contributions filed pursuant to t. 25, sec. 3248 of the Pennsylvania Statutes Annotated.

Specifies that there is no prohibition on the receipt of interest or dividends on investments where the interest or dividends are received in accordance with the banking laws and in the ordinary course of business. Requires any such interest and dividends to be included in the financial records maintained by the candidate and political committees and reported where appropriate under the filing requirements.

Prohibits a candidate, chairman, or treasurer of any political committee from making any expenditure or incurring any liability except as provided in the definition of "expenditure" in t. 25, sec. 3241(d) of the Pennsylvania Statutes Annotated. (Formerly, an expenditure could be made or a liability incurred only for one of the purposes specified in sec. 3254.1.)

Directs the secretary of the commonwealth to select by lottery forty days after each primary, general and municipal election three percent of all public offices for which candidates must file nominating petitions or papers with the secretary. A certified public accountant shall audit the reports of all candidates for each public office that is selected in accordance with this procedure. The accountant shall also audit the reports of the committees authorized and created solely for the purpose of influencing an election on behalf of those candidates. Provides that although the accountant's findings are to be made public by the secretary of the commonwealth, the results of the primary election audit shall not be released to the public until after the general or municipal election.

SB 764, Act 134, Approved 7/12/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Specifies that the report by a business entity, which has been awarded non-bid contracts by the commonwealth or its political subdivisions during the preceding calendar year, of political contributions made by any officer, director, associate, partner, limited partner, individual owner, or member of the immediate family of such person need include such contributions only when they exceed an aggregate of $1,000 by any individual during the preceding year.

HB 382, Act 128, Approved 7/11/80

NOTE: The provisions of this law that do not relate to campaign financing are summarized in Section I.

Changes the filing deadline for pre-election campaign finance reports. Provides that the pre-election reports by candidates for offices to be voted for by the electors of the state at large and all political committees which have expended money for the purpose of influencing the election of such candidates shall be filed not later than the sixth Tuesday before (formerly, forty-five days before) and the second Friday before (formerly, ten days before) an election. Requires the pre-election reports of all other candidates and political committees which have received contributions or made expenditures for the purpose of influencing an election to be filed not later than the second Friday before (formerly, ten days before) an election.

Permits a report of a late contribution or an independent expenditure to be made by mailgram, as well as by telegram as previously specified. Also permits a candidate in his own behalf, or the chairman, treasurer or candidate in behalf of the political committee to report a late contribution or pledge in person before the secretary of the commonwealth or the county board of election.

HB 2104, Act 129, Approved 7/11/80

Provides that a political committee need not file an annual report pursuant to t. 25, sec. 3247 of the Pennsylvania Statutes Annotated, if it makes aggregate expenditures in an amount less than $250 or incurs aggregate debts in an amount less than $250 during the calendar year to influence an election. However, this exemption is not available to a candidate's political committee, a state or county committee of a political party or political body, or to a political action commitee of a corporation or unincorporated association. (NOTE: An identical provision is included in SB 543, which is summarized above.)

SOUTH DAKOTA

SB 106, Approved 2/8/80

Prohibits the imposition of filing fees for the filing of statements of contribution and financial interest in the office of secretary of state.

HB 1070, Approved 2/19/80

Prohibits any information that is obtained from any report or statement filed with the secretary of state pursuant to chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) from being sold or used by any person for the purpose of soliciting contributions, or any commercial purpose. Specifies that the prohibition on use for a commercial purpose does not include the sale of newspapers, magazines, books, or other similar communications, the principal purpose of which is not to communicate lists or other information obtained from a campaign finance report.

HB 1144, Approved 2/19/80

Permits municipalities and counties to make the provisions of chap. 12-25 of the South Dakota Compiled Laws (relating to campaign financing) applicable to municipal elections.

TENNESSEE

HB 945, Chapter 861, Approved 5/1/80

Repeals sec. 2-1001 through 2-1017 of the Tennessee Code Annotated, relating to campaign financial disclosure, and enacts a new chapter of the code relating thereto. Specifies that the provisions of the new chapter are not applicable to any candidate for public office for which the service is part-time and for which the compensation is less than $100 per month. However, this exemption does not apply to a candidate for a public office as a chief administrative officer or to any candidate whose expenditures exceed $500. States that any charter provisions of municipalities regarding campaign financial disclosures of candidates for public office shall apply to those candidates, except to the extent that such provisions are in conflict with the provisions of this chapter.

Defines various terms used in the act. Defines "public office" as any state public office or local public office filled by the voters. "State public office" means the offices of governor, public service commissioner, member of the general assembly, delegate to a state constitutional convention, district attorney general, and supreme court justice. "Local public office" means any state, county, municipal, school, or other district or precinct office or position including judges and chancellors that is filled by the voters.

Directs each candidate for state public office or political campaign comittee in a state election to file with the state librarian a statement of all contributions received and all expenditures made by or on behalf of the candidate or committee. Each candidate for the office of member of the general assembly and each political campaign committee for such a candidate shall file a copy of the statement with the county election commission in the county of which the candidate is a resident. Directs each candidate for local public office or political campaign committee for a local election to file with the county election commission of the county where the election is held a statement of all contributions received and all expenditures made by or on behalf of the candidate or committee. The statements shall be filed as follows: (a) for the filing prior to any election or referendum, not later than seven days before the election; (b) for the filing after any primary election or referendum, not later than seven days before the general election; and (c) for the filing after any general election, not later than forty-eight days after the election. Provides that if the statement filed after an election shows an unexpended balance of contributions or an expenditure deficit, the candidate or political campaign committee shall file a supplemental statement of contributions and expenditures. However, if a candidate wins nomination, a supplemental statement need not be filed by the candidate with respect to the nomination campaign. The supplemental statement shall be filed one year after the election or referendum. Prohibits cumulative reporting for both primary and general elections for the same office in the same year.

Provides that a report shall consist of either a statement that neither the contributions received nor the expenditures made during the period for which the statement is submitted exceeded $1,000 or a statement setting forth the following: (a) the name and address of each person who contributed a total of more than $100 during the period for which the statement is submitted and the amount contributed by that person; (b) the total amount of contributions of $100 or less; (c) the name and address of each person to whom a total amount of more than $100 was paid during the period for which the statement is submitted, the total amount paid to that person, and the purpose thereof; and (d) the total amount of expenditures of $100 or less each, by category, without showing the exact amount of or vouching for each such expenditure.

Requires each candidate and each political campaign committee to certify the name and address of its political treasurer to the state librarian before it can receive or make an expenditure in a state election or to the county election commission before it can receive or make an expenditure in an election in the county where the election commission is located. Permits a candidate to appoint himself as the political treasurer.

Permits a registered voter of the state to file a sworn complaint alleging that a statement filed regarding an election for which that voter was qualified to vote does not conform to law or to the the truth or that a person has failed to file a report required by law. Specifies that any person who knowingly and willfully files a sworn complaint which is false or for the purpose of harassment shall be guilty of a misdemeanor and shall be liable for reasonable attorneys' fees incurred by the candidate who was the subject of such complaint. Directs the state attorney general to investigate complaints filed against candidates for state public office. Directs the district attorney general who represents the judicial district in which the voter making the complaint resides to investigate a complaint against a candidate for local public office.

Specifies that the state librarian and county election commissions are to make reports filed with them available for public inspection. Provides that whenever statements or other information is inspected, the librarian or county election commission shall make a record of such inspection and provide notice, within five days of the inspection, to the candidate or political campaign committee whose files have been inspected or copied that: (a) such inspection has taken place; (b) the name and address of the person making such inspection; (c) for whom the inspection was made; and (d) the date of the inspection. Such record shall be available for public inspection during the normal business hours of the librarian or county election commission.

WISCONSIN

AB 603, Chapter 328, Approved 5/7/80

Makes numerous amendments to the campaign financing laws, many of which are of a minor or technical nature.

Defines "clearly identified," when used with reference to a communication in support of or in opposition to a candidate, to mean that (a) the candidate's name appears; (b) a photograph or drawing of the candidate appears; or (c) the identity of the candidate is apparent by unambiguous reference. Specifies that it is not a contribution when a committee or group not organized exclusively for political purposes receives a gift, subscription, loan, etc., and does not use it for political purposes. Redefines "personal campaign committee" to mean a committee for the purpose of influencing the election or reelection of a candidate which acts with the cooperation of or upon consultation with the candidate or the candidate's agent or which is operating in concert with or pursuant to the authorization, request, or suggestion of the candidate or the candidate's agent.

Amends the general reporting exemption by, inter alia, raising the maximum amount which may be received or expended without filing reorts to $500 in a calendar year. Adds the requirement that the entity exempted must not anticipate accepting any contribution(s) from a single source exeeding $100 in that year. Permits a political party committee to be exempted form reporting requirements if it does not anticipate accepting contributions or making disbursements in an aggregate amount in excess of $1,000 in a calendar year and does not anticipate accepting any contribution(s) from a single source exceeding $100 in that year.

Provides that a candidate must file a registration statement no later than the time he becomes a candidate (within the meaning of sec. 11.01 of the Wisconsin Statutes Annotated). No candidate or agent of a candidate is permitted to accept any contribution when the candidate is not registered. Requires a committee, group or individual other than a candidate or agent of a candidate to register no later than the fifth business day commencing after receipt of the first contribution by the entity, and before making any disbursement. No committee, group, or individual, other than a candidate or agent of a candidate, may accept any contribution(s) exceeding $25 in the aggregate during a calendar year at any time when the entity is not registered, except within the initial five-day period. However, an individual, committee, or group may make a disbursement in the amount required to rent a postal box, or in the minimum amount required by a bank to open a checking account, prior to the time of registration, if the disbursement is properly reported on the first report submitted after the date that the entity is registered.

Requires reports filed pursuant to sec. 11.06 of the Wisconsin Statutes Annctated to include the name and address of the principal place of business, if any, of each individual contributor whose cumulative contributions for the year exceed $100. Specifies that a report by a committee that is acting independently of a candidate must include a separate schedule showing for each disbursement which is made independently of a candidate, other than a contribution to that candidate, the name of the candidate on whose behalf or in opposition to whom the disbursement is made, indicating whether the purpose is support or opposition.

States that all contributions received by any person acting as an agent of a candidate or treasurer shall be reported by such person to the candidate or treasurer within fifteen days (formerly, three days) of receipt. In the case of a contribution of money, the agent shall transmit the contribution to the candidate or treasurer within fifteen days (formerly, five days) of receipt.

Provides that every committee, other than a personal campaign committee, which, and every individual, other than a candidate, who desires to make disbursements which are to be used to advocate the election or defeat of any clearly identified candidate in any election shall, before making any disbursements in a calendar year in an aggregate amount in excess of $25, file with the registration statement a statement under oath affirming that the individual or committee does not act in cooperation or consultation with any candidate or agent or authorized committee of a candidate who is supported or opposed, and that the individual or committee does not act in concert with, or at the request or suggestion of, any candidate or any agent or authorized committee of a candidate who is supported or opposed.

Requires all funds received by a campaign or committee treasurer, group treasurer, candidate, or other individual to be deposited in a separate campaign depository account. The depository shall be established by every candidate no later than five business days after he receives his first contribution and before he makes or authorizes any disbursement. A depository shall be established by every other individual or treasurer no later than the fifth business day after becoming subject to a registration requirement and before making any disbursement. However, any candidate other than a candidate for statewide or legislative office who serves as his own campaign treasurer and who is authorized to make and makes an indication on his registration statement that he will not accept contributions, make disbursements or incur obligations in an aggregate amount exceeding $500 in a calendar year, may designate a single personal account as his campaign depository, and may intermingle personal and other funds with campaign funds in an amount not exceeding $500 per calendar year. If a separate depository is later established, all campaign funds in the personal account are to be transferred to the new depository account.

Directs a candidate and personal campaign committee of a candidate at a primary to file a pre-primary and pre-election report. A candidate and personal campaign committee of a candidate at an election shall file a pre-election report. States that a registered committee or individual other than a candidate or personal campaign committee making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to one or more candidates for office at a primary, or supporting or opposing other committees or individuals who are engaging in such activities, shall file a pre-primary and pre-election report. Requires such entities who are engaging in these activities in regard to an election to file a pre-election report. Directs every committee of a political party to file a pre-primary and pre-election report for every September primary and general election. Establishes certain exemptions from these reporting requirements.

Amends contribution limits and/or disbursement levels for candidates for certain judicial and local offices. Prohibits a political party from receiving more than $75,000 (formerly, $25,000) in value of its contributions in any year from all other committees, excluding transfers between party committees of the party. No party may receive more than $6,000 (formerly, $3,000) in value of its contributions in any year from any specific committee or its subunits or affiliates, excluding political party committees. Prohibits a committee, other than a political party committee, from making any contributions(s), directly or indirectly, to a political party in a year exceeding a total value of $6,000 (formerly, $3,000).

Provides that a legislative campaign committee, which is a committee organized in either house of the legislature, may accept no contributions and make no contributions or disbursements exceeding the amounts authorized for a political party. Specifies that a legislative campaign committee is not subject to the limitations specified in sec. 11.26(2)(b) and (c) of the Wisconsin Statutes Annotated. Provides that amounts contributed by a legislative campaign committee to a political party are not subject to limitation.

States that if all candidates for an office who are certified to appear on the primary ballot of all parties have no opponent certified to appear on the same primary ballot, the separate limitations for disbursements made during the primary and election period do not apply to candidates for that office in that primary and election, and the candidates are bound only by the total limitation specified for the primary and election. Provides that except as specified in 11.31(3m) of the Wisconsin Statutes Annotated (relating to disbursement levels for candidates for governor and lieutenant governor), whenever a separate disbursement level exists for a primary and election, a candidate who disburses less than the authorized level in the primary may not reallocate the balance to increase the level in the election. Whenever a separate disbursement level is not specified for a primary and election, a candidate may allocate disbursements between the primary and election campaign within the total level of disbursements in any proportion desired, and may carry over unexpended contributions from a primary to an election campaign.

Amends sec. 11.38 of the Wisconsin Statutes Annotated, relating to contributions and disbursements by corporations and cooperatives, to provide, inter alia, that no foreign or domestic corporation, or association organized under ch. 185 of the Wisconsin Statutes, may make any contribution or disbursement, directly or indirectly, either independently or through any political party, committee, group, candidate or individual for any purpose other than to promote or defeat a referendum. However, any such corporation or association may establish and administer a separate segregated fund and solicit contributions from individuals to the fund to be utilized by such corporation or association, for the purpose of supporting or opposing any candidate for state or local office but the corporation or association may not make any contribution to the fund. The fund must appoint a treasurer and register as a political committee under sec. 11.05 of the Wisconsin Statutes. A parent corporation or association engaging solely in this activity is not subject to registration under sec. 11.05, but must register and file special reports disclosing its administration and solicitation expenses on behalf of the fund. No corporation or association may spend more than $500 annually for solicitatiton of contributions to such a fund.

Permits contributions of more than $50 to be made by credit card and evidenced by by an itemized receipt. (Formerly, contributions in excess of $50 could be made only by negotiable instrument.)

WYOMING

HB 114, Chapter 31, Approved 3/5/80

Repeals the provision which required suppliers of campaign advertising to file post-election reports of the type, cost, and quantity of advertising supplied, and the names of the persons or committees paying for the advertising.

SECTION III - FEDERAL LEGISLATION

SYNOPSIS OF MAJOR FEDERAL LEGISLATION - 96TH CONGRESS

Campaign Financing - Public Financing

Presently, public financing is available to presidential candidates in both primary and general election campaigns. As special interest contributions toward congressional elections escalate, so interest in public financing grows. Proposals to extend public financing to congressional candidates have been introduced in every Congress since the 93rd Congress. In the 96th Congress, both the House and the Senate have introduced public financing bills.

S. 623, introduced by Senator Kennedy, has been co-sponsored by Senators Mathias, Cranston, Stafford, Tsongas, Cohen, De Concini and Biden. S. 623 provides for voluntary public financing of general elections to the U.S. Senate. To receive federal money, candidates would agree on limiting expenditures for any one campaign to $250,000 plus $.10 multiplied by the voting age population of the appropriate state; raise at least $100,000 or ten percent of allowable total of campaign expenditure from individuals contributing $100 or less; receive at least eighty percent of total contributions from residents of their own state; and expend not more than $35,000 of their own personal funds toward the campaign. Funds would be matched in increments of $10,000 until the amount of campaign funds total the agreed on spending ceiling for that state. S. 623 also specifies certain conditions where all candidates in a specific race would be relieved of their limited expenditure promises.

S. 1339, introduced by Senator Stone, is another public financing bill. In this bill the public financing aspect would be activated only when any candidate in a particular election campaign for the U.S. Senate accepts contributions which exceed the contribution threshold of $250,000 plus $.10 multiplied by the voting age population of the respective state.

Public financing was a big issue in the House and had been given the symbolically important designation H.R. 1 by the House leadership. H.R. 1 was introduced by Representative Mikva and had been co-sponsored by 150 House members. H.R. 1 provided for voluntary public financing of general elections to the House of Representatives. To receive federal money, candidates would agree on a spending ceiling of $150,000 plus $15,000 for one mailing within a district; raise at least $1,000 on their own from individuals contributing $100 or less; receive at least eighty percent of total contributions from residents of their own state; and expend not more than $25,000 out of their own pockets toward the campaign. Funds would be matched in $10,000 increments up to $60,000, not exceeding, in the aggregate, $180,000 for all candidates. In the event that a candidate chose not to accept public money and to spend more than $25,000 of his or her personal funds or $75,000 overall, H.R. 1 would relieve all candidates in that race of their spending ceiling promises and they would be eligible to receive additional federal funds. Hearings for H.R. 1 were held on March 15, 20, 21, 22 and 27, 1979, by the House Administration Committee. The bill was voted down by the committee on May 24, 1979. A roll call vote to report the bill out of committee without approval, was also defeated. A motion to reconsider the bill was approved unanimously by the committee on May 24, 1979.

H.R. 2221, introduced by Representative Pease, is a combination of H.R. 1 and another bill which specifies the tax check-off system that provides the money for public financing. H.R. 564, introduced by Representative Mazzoli, is basically a more economical version of H.R. 1. The spending ceiling is $125,000 per campaign with a matching payment limit of $51,000 and a $150,000 aggregate payment limit to all candidates in an election.

H.R. 496, introduced by Representative Howard, has a spending ceiling of $100,000; requires that total campaign contributions exceed $10,000 with the aggregate of individual contributions not exceeding $100; prohibits candidates from expending more than $10,000 in personal funds; limits total amount of payments per candidate to $50,000 with a limit of $100,000, in the aggregate, to all candidates in one campaign. If any candidate exceeds money limits, all of the candidates in that campaign are relieved of expenditure limitations.

Though H.R. 2849, introduced by Representative Maguire, provides for public financing of congressional campaigns, dollar amounts throughout the bill are given only for the House. To be eligible to receive payments under H.R. 2849, House candidates must have received at least $7,500 in contributions, agree to limit expenditures to $125,000 in a primary or general election campaign and agree to certain record keeping and auditing requirements. The bill also limits the total amount of public funds received by one candidate to be not more than fifty percent of the expenditure limitation.

Electoral College Reform

Currently, the President and Vice President are not elected by direct popular vote, but are instead chosen by the Electoral College which is basically composed of individuals who are elected and convene in their own states. Under the practice followed in most states, the presidential candidate whose party receives a plurality of the popular vote is awarded all of the electoral votes of that state. The number of electoral votes to which each state is entitled equals the number of Representatives and Senators which the state has in Congress. The "winner take all" aspects of the Electoral College System often result in a presidential candidate receiving an electoral vote total which does not reflect the popular vote received by the presidential electors.

As in past Congresses, several proposals have been introduced during the 96th Congress to change the method of electing the President and Vice President. Some of the proposals would retain the present electoral vote system, but with certain changes so that the electoral vote would be more reflective of the popular vote received by the candidate. Other proposals would totally eliminate the electoral vote system and would elect the President and Vice President by direct popular vote.

S.J. Res. 1 and an identical S.J. Res. 28, introduced by Senator Bayh, proposed the direct election of the President and Vice President. S.J. Res. 28 was placed on the Senate calendar on February 22, 1979, bypassing committee action. Later, it was agreed that the proposed amendment would go to the Judiciary Committee for hearings (to give its six new members time for study), be reported back to the Senate during April and be called up for Senate action by the majority leader any time after June 1, 1979. Hearings were held March 27, 30, April 3rd and 9th. Senate Rept. No. 96-111 was submitted by the Judiciary Committee. The Senate considered S.J. Res. 28 on June 21, 26, 27, and July 9. The resolution failed to pass the Senate on July 10, 1979.

The House has introduced a total of eighteen "direct" election proposals. The majority of these proposals require a team (consisting of a candidate for President and a candidate for Vice-President) to win forty percent of the vote in order to win the election; if the required percentage is not attained, the majority of the proposals specify that a run-off election must be held. S.J. Res. 51, introduced by Senator Cannon, H.J. Res. 88, introduced by Representative Vander Jagt, and H.J. Res. 125, introduced by Representative Ashbrook, propose a "proportional" plan where the electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received. H.J. Res. 106, introduced by Representative Fuqua, H.J. Res. 207, introduced by Representative Conable, and H.J. Res. 549 introduced by Representative Derwinski, propose the "district" plan where the electoral college is preserved but where the electors would be chosen by the voters from districts created within the state. S.J. Res. 48, introduced by Senator Bayh and H.J. Res. 223, introduced by Representative Bingham, propose the "automatic" plan where the Electoral College would be abolished but where the electoral votes of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state (see analysis of the Electoral College at the end of Section III - Federal Legislation, for more information).

Free Mailing of Absentee Ballots

Hearings were held on March 13, before the Post Office and Civil Service Committee's Subcommittee on Postal Operations and Services, on proposed legislation to permit the free mailing of absentee ballots for federal offices. The four proposals include: H.R. 4759, introduced by Rep. Bonker, which would provide for the free mailing of absentee ballots from an individual to an election agency; H.R. 4773, introduced by Rep. Tauke, and H.R. 4843, introduced by Rep. Corcoran, which provide for the free mailing of absentee ballots from an individual to an election agency and vice versa; and H.R. 5529, introduced by Rep. Spellman, which calls for the free mailing of absentee ballots from an individual to an election agency as well as providing for third-class postage rates for certain registration materials sent to an individual from an election agency and vice versa. None of the bills would allow free postage to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975.

S. 16	1/15/79	Weicker	Rules and Administration

"Presidential Primary Act"

PRIMARY ELECTIONS - PRESIDENTIAL:
- Provides that a nationwide Presidential primary be held in each state on the 1st Tuesday in August of each Presidential election year;
- Voters may vote only for the candidates of the voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- If there is no provision for registering for party affiliation in a state, voters shall follow the procedure prescribed by the Attorney General in registering their party affiliation for this primary;
- The results of the primary shall be transmitted to the President of the Senate within five days, and five days after received the results shall be published in the Congressional Record;
- To qualify as a candidate, an individual must file a petition by June 30 with a required number of signatures equaling at least one percent of the total votes cast in the previous Presidential election, but no signature will be accepted from a person who is a member of a different political party from the candidate's party;
- If the winning candidate does not receive fifty percent of the votes cast for all candidates of his party, a second primary shall be held the third Tuesday following the first primary and a run-off shall be between the two-party candidates receiving the greatest number of votes;
- If a Presidential candidate dies or resigns before nominating a Vice Presidential candidate, the successor will be nominated by the party convention, or, if both candidates die or resign, new candidates will be chosen by the national party committee composed of a delegation of each state;

CONTRIBUTIONS AND EXPENDITURE LIMITATIONS:
- Limits federal campaign contribution and expenditures to the year in which a federal election is held;

S. 21	1/15/79	Weicker	Finance

CAMPAIGN FINANCING - PUBLIC FINANCING - PRESIDENTIAL CAMPAIGNS:
- Repeals public financing provisions for Presidential primary and general election campaigns;

S. 22 1/15/79 Proxmire Commerce, Science and Transportation

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:

- Repeals the following sections of the Communications Act of 1934:
  (1) Section requiring broadcast stations to permit a legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy;
  (2) Section requiring broadcast stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time;
  (3) Section prohibiting political editorials by broadcast stations;

S. 217 1/25/79 Proxmire Banking, Housing & Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:

- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

S. 291 1/31/79 Ribicoff Governmental Affairs

"Voters Information Act of 1979"

INFORMATION ON ELECTIONS - POST OFFICE LISTING:

- Provides for posting information in post offices with respect to registration, voting and communicating with lawmakers at the federal and state levels;

S. 392 2/8/79 Cohen et al. Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:

- Requires that efforts be made to locate polling and registration places for federal elections which are readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by an elevator;
- Requires filing of a report with the Attorney General sixty days before election or close of registration when standards prescribed are not met;
- States which have established equivalent building standards are not required to comply;

S. 392 cont.

- Alternative methods of voting provided when standards prescribed are not met: 1) selection of an alternative polling place within the same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing the right to vote;
- Alternative methods of registration must be enacted if requirements are not met;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) written instructions and directions must be posted at each polling and registration place sufficient to provide deaf individuals with adequate information; 3) individual must be allowed to select another individual to accompany him to the polls;
- Attorney General may institute in the name of the U.S. any action in U.S. district court which will assure implementation of this Act;

S. 596 3/8/79 Danforth et al. Governmental Affairs

"Congressional Anti-Gerrymandering Act of 1979"

APPORTIONMENT AND REDISTRICTING:
- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. sec. 2a) as follows:
- Provides that each state establish a five-member redistricting commission, appointed as follows:
    1. Partisan bicameral legislature--the following people will each appoint one member:
        a. majority leader of the state senate
        b. speaker of the state house
        c. minority leader of the state senate
        d. minority leader of the state house
    2. Nonpartisan bicameral legislature--leader of each house will appoint two members
    3. Partisan unicameral legislature--the majority leader and the minority leader appoint two members
    4. Nonpartisan unicameral legislature--leader of legislature appoints four members; no more than two may be members of the same political party after consultation with leaders of state political parties
    5. The fifth member shall be the chairman of each state commission and shall be chosen by the other four members
- Redistricting commission will establish a number of districts equal to number of Representatives entitled, using the following standards:
    1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than two percent from the quotient obtained by dividing the population of the state by the number of Representatives entitled
    2. Boundaries of each district will be composed of convenient contiguous territory and will be compact

S. 596 cont.

3. Boundaries may not be drawn to favor a political party, incumbent or other individual, nor to dilute the voting strength of any language or racial minority group

- Specifies that this Act will not supersede any section of the Voters' Rights Act of 1965;
- Specifies that the commission will conduct a public hearing in preparing a plan in setting up district boundaries;
- Provides that, not later than sixty days after publication of the district plan, any person meeting the qualifications of a voter for a member of the House of Representatives can challenge the apportionment in the district court;
- Specifies that the U.S. district court will have exclusive jurisdiction, appeals must be filed within thirty days after decisions and the Supreme Court will hear appeals as soon as practicable;
- Specifies that the redistricting commission ceases to exist after the redistricting plan is put into effect;
- Provides criteria to be followed to elect Representatives until a state is redistricted in a lawful manner after any apportionment;
- Stipulates that the Federal Election Commission will provide reasonable costs incurred by state commissions while carrying out this Act;

S. 597 3/8/79 Bayh Rules and Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Similar to S. 392 except that it does not specify special provisions for deaf people and does include braille ballots as an alternative method for blind persons;

S. 623 3/12/79 Kennedy et al. Rules and Administration

"Senate Election Reform Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIGIBLE FOR MATCHING FUNDS:
- Commission must certify the eligibility of candidates to the Secretary of Treasury within forty-eight hours after a candidate files a request;
- Certifies to Federal Election Commission (FEC):
    1. To expend not more than $250,000 plus $.10 multiplied by the voting age population of appropriate state
    2. That $100,000 or ten percent of allowable total of campaign expenditure (whichever is smaller) have been received for candidate
- Agrees with FEC:
    1. To furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by the Commission
    3. To receive only contributions approved of in 2 U.S.C. sec. 441a

4. To expend not more than $35,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTION RECEIVED FOR MATCHING FUNDS:

- Contributions received as loan, subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contributions exceed $100 shall not be taken into account;
- Contributions received before September 1st immediately preceding general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:

- Initial payment of $100,000 or ten percent of allowable total of campaign contributions;
- In increments of $10,000 until the total amount of contributions received by him and matching payments made previously add up to the agreed spending ceiling for that state;
- At least two candidates have qualified for the election ballot in that state;
- Non-state contributions will not be matched if such contributions exceed twenty percent of aggregate matchable contributions;
- If full amount of entitlement is not available in account, amount remaining will be prorated;
- Payments can be used only to defray election cost for the election for which they were received and cannot be used to repay loans or make payments in any amount to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:

- If any other candidate in the same election:
    1. Fails to file a declaration of whether he intends to abide by expenditure limitations within ninety days of election
    2. Notifies Commission within sixty days before an election that there are reasons to believe expenditure limitations will be exceeded
    3. Notifies Commission and all other candidates in election within forty-eight hours after expenditure limitation has been exceeded
- Additional amount entitled cannot exceed fifty percent of the amount of expenditure limitation and will be based on contributions received after date expenditure limitation was suspended;
- If independent expenditures are made or costs of communication aggregate more than one-third of the limitation on expenditures, the Commission will suspend the limitation on expenditures;

SENATE GENERAL ELECTION CAMPAIGN ACCOUNT:

- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

CONTROLS AND ENFORCEMENT:

- Commission will conduct examination and audit campaign expenditures of all candidates after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 704 3/21/79 Dole Rules and Administration

ELECTION OFFENSES - STATUTE OF LIMITATIONS:
- Amends Federal Election Campaign act of 1971 changing the statute of limitation from three years to four years;

S. 714 3/21/79 Stevenson Rules and Administration

"Campaign Contributions Act of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Prohibits multicandidate political committees from contributing to the campaign of a candidate for federal office;
- Stipulates candidate to the House of Representatives may receive $5,000 for a campaign by the committee of a political party;

S. 832 3/29/79 Pell Rules and Administration

ACTION: 3/29/79 - Reported from Comm., S. Rept. 96-53
4/4/79 - Passed Senate
4/5/79 - Referred to House Administration Comm.
8/2/79 - Reported from H. Comm., H. Rept. 96-408 Supp. Rept. 9/12/79
10/17/79 - Passed House Amended
10/17/79 - House asked for a conference

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Amends the Federal Election Campaign Act of 1971 (FECA) to authorize appropriations for the Federal Election Commission for fiscal year 1980 (House amended this bill by inserting text of H.R. 4970)
- Prohibits nonparty multicandidate political committees from making contributions to a candidate for House of Representatives which exceed the following amounts;
    1. $6,000 - for general or special election and primary election relating to such election
    2. $6,000 - for primary and runoff election relating to a general or special election
    3. $9,000 - for a general or special election and both a primary and runoff election relating to such election
    4. $5,000 - for any single election
- Prohibits candidates for House of Representatives or any authorized political committee from accepting contributions from political committees other than committees of a political party which exceed the following amounts:
    1. $70,000 - for a general or special election and a primary election relating to such election
    2. $70,000 - for a primary and runoff election relating to a general or special election

S. 832 cont.

   3. $85,000 - for a general or special election and both a primary and run-off election relating to such election

- Prohibits the Commission from using appropriated funds to conduct audits of House or Senate candidates unless the Commission has reason to believe that such candidates have violated provisions of the FECA;
- Limits the amount of expenditures to be used for Clearinghouse functions provided under the FECA;
- Amends the definition of "contribution" by adding any extension of credit to a candidate or political committee by a person (other than a broadcasting station, newspaper, or magazine) providing goods or services relating to political advertising when such extension of credit:
    1. Exceeds the normal time allowed by such person or sixty days from the date the goods or services are provided
    2. Is in connection with the mailing of materials which solicit funds to influence an election

- Specifies that after-election contributions will be considered a contribution only if the candidate has insufficient funds to pay election expenses at the time of receipt of the contribution;

- Provides that contributions made by an individual but which appear to be made by or on behalf of a political committee must be reported by that political committee as a contribution;

- Prohibits a congressional candidate from using more than $35,000 campaign contributions as reimbursement for the personal funds the candidate expended in the campaign.

S. 964 4/10/79 Packwood et al. Rules and Administration

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:

- Establishes five regional Presidential preference primary elections, the first to be held in March and the last in July of each Presidential election year;
- Individuals generally recognized in national news media as candidates, unless they sign an affidavit to the contrary, will appear on the ballot, as well as any candidate who files a nomination petition signed by one percent of the regtered voters of the region, or who pays a $10,000 filing fee;
- Regional primary will be held in each state which chooses to hold a primary;
- Voters may vote only in primary of their registered party affiliation;
- Candidate receiving five percent or more of votes to appoint number of convention delegates proportionately to number of votes received, and delegates generally bound to vote for that candidate;
- FEC to administer primaries;

S. 994 4/24/79 Pell Rules and Administration

ACTION: 5/8/79 - Reported from Rules and Administration S. Comm.
No written report
5/10/79 - Passed Senate

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC;

S. 1052 5/1/79 Hayakawa et al. Judiciary

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

S. 1339 6/13/79 Stone Rules and Administration

"Senate Campaign Contribution Reduction Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the U.S. Senate;

CANDIDATE IS ELIBIGLE FOR MATCHING FUNDS:
- Certifies to Federal Election Commission (FEC):
  1. Candidate is the nominee of a major party for U.S. Senate
  2. Candidate received at least twenty-five percent of total votes cast in either of the two most recent general elections for U.S. Senate in same state as is now a candidate, or
  3. Candidate is seeking election and has accepted contributions of not less than ten percent of the contribution threshold
- Agrees with FEC:
  1. To keep and furnish them with campaign records (contributions and expenditures)
  2. To cooperate in any audit conducted by the Commission

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Contribution threshold is designated as $250,000 plus $.10 multiplied by the voting age population of the respective state;
- No payment to be made to any candidate until Commission determines that at least one candidate has accepted contributions in excess of contribution threshold at which time payments to all other eligible candidates in that race will be as follows:
  1. Candidates who have not accepted excess contributions are entitled to an amount equal to the amount by which the candidate who has accepted the greatest amount of contributions exceeds the threshold
  2. Candidates receiving contributions in excess of threshold are entitled to amount equal to ten percent of threshold where another candidate has accepted the greatest amount of contributions by an amount in excess of ten percent of threshold

S. 1339 cont.

3. No candidate will be paid in the aggregate more than fifty percent of the contribution threshold
4. All contributions accepted on behalf of a candidate will be considered to be contributions accepted by the candidate
5. Commission is required to certify eligible candidates to the Secretary from time to time allowing them to be paid amounts due in increments of not less than $10,000

REPORTING REQUIREMENTS:
- Candidates whose contributions exceed threshold are required to notify Commission and all other candidates in same election within forty-eight hours;
- Candidate must file a declaration with the Commission whether he/she intends to accept contributions in excess of the threshold either when he/she qualifies for election or ninety days before election (whichever is earlier);
- Candidates must notify the Commission not later than sixty days before election if there is reason to believe that excess contributions will be accepted unless candidate filed a timely declaration that he/she intended to exceed threshold;

SENATE CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- If Secretary of Treasury determines there are insufficient amounts of money to pay full entitlement to eligible candidates, the Secretary must notify all eligible candidates by registered mail of the pro rata amount which will be available;

CONTROLS AND ENFORCEMENT:
- Commission will conduct examination and audit campaign expenditures of all candidates receiving payments after each election;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

S. 1414 6/26/79 Goldwater Governmental Affairs
ACTION: 8/2/79 - Reported from Comm., S. Rept. 96-303
2/28/80 - Indefinitely postponed

GOVERNMENT EMPLOYEES - CREDIT FOR SERVICE:
- Provides that a congressional employee who is otherwise entitled to a separation annuity and who has been continuously employed by the same member of Congress for six years before the member separated from service as well as six years following the separation, will be entitled to credit for service for period that member was separated under the following conditions:
  1. The member was a candidate of a political party for office of President but not simutaneously a candidate for the Senate or House
  2. Member was not elected to office of President
  3. Employee was continuously employed by former member during entire period of members separation from Congress
  4. Member was not separated from Congress for more than five years

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S. 1700 8/3/79 Kennedy et al. Rules and Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:

- Amends the Federal Election Campaign Act in the following ways:
- Prohibits non-party multicandidate political committees from making contributions to a candidate for the Senate which exceed the following amounts in any calendar year:
  1. $5,000 - general or special election and primary election relating to such general or special election
  2. $7,500 - general or special election and both a primary and a run-off election relating to such general or special election (not more than $5,500 for one election)
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
  1. Worth more than $1,000
  2. For period of more than thirty days after date on which such goods or services are furnished

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S. 1757 9/17/79 Pell Rules and Administration

ACTION: 9/17/79 - Reported from Comm., S. Rept 96-319
12/18/79 - Indefinitely postponed (See H.R. 5010 which was amended by Senate)

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:

1. Contributions
   - The present exemption granted to legal and accounting services contributed to the national committee of a political party is extended to all political party committees;
   - Does not include vendor expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate;
2. Contributions and Expenditures
   - Does not include, among other things, certain residential use costs, volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; the unreimbursed payment by a delegate or candidate for delegate to a convention or caucus of a political party for costs incurred in connection with such activities; funds given by a political party to pay expenses of delegate or candidate for delegate to a political party caucus or convention; expenses of political party incurred in sponsoring a caucus or convention

of the party; certain payments made by political party committees for campaign materials used in volunteer activities (e.g., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), if such payments are made only with funds not designated for a particular candidate; certain payments for costs of voter registration and get-out-the-vote activities of a political party;

3. Expenditure
   - Does not include legal and accounting services contributed to any political party (changed from national committee of a political party);
   - Provides that cancelled checks would be prima facie evidence of an expenditure having been made;
4. Political Committee
   - Exempts from the definition of political committee any state or local committee of a political party which does not receive in a calendar year contributions aggregating more than $5,000;

POLITICAL COMMITTEES:

- Provides that, if candidate for federal office chooses not to designate a committee to serve as principal campaign committee, the Commission must be notified that such individual will not authorize any political committee to receive contributions or make expenditures on his behalf;
- Provides that the principal campaign or authorized committee of a candidate must include the name of candidate in its title (all other political committees for that candidate are prohibited from including name of candidate);
- Provides that candidate will not be liable for the debts of his principal campaign committee;
- Provides that, in order to qualify as a multicandidate committee, a political committee must have made contributions to five or more candidates for federal office in amounts aggregating at least $250 each;
- Provides that, when any Presidential or Vice-Presidential candidate designates the national committee of a political party as his principal campaign committee, all contributions to the political committee of that national committee will be limited to $1,000 per individual and $5,000 per multicandidate political committee;
- Provides that only one of the following methods may be used by a national committee of a political party to make expenditures in connection with a general election campaign of a Presidential candidate of that party up to the greater of $20,000 or $.02 multiplied by the voting age population of that state:
  1) The state committee of a political party make such expenditures; or
  2) The national committee of a political party may designate one political committee in each state which will be authorized to accept contributions and to make expenditures;

REPORTING REQUIREMENTS:

- Requires candidates and their principal campaign committee to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);

S. 1757 cont.

- Raises the threshold above which contributions and expenditures would have to be reported to $200;
- Provides that independent expenditures expressly advocating the election or defeat of a clearly identified candidate need be reported only when expenditure exceeds $250 within a calendar year;

FEDERAL ELECTION COMMISSION:
- Provides that the Commission may employ or appoint counsel without regard to the provisions of Title 5 U.S.C. to appear in and defend against any action instituted under this Act;
- Provides that no candiate for election or for nomination for election to the Senate or the House of Representatives will be audited on a random basis more than once in any election cycle;

MISCELLANEOUS:
- Provides that reports and statements filed with the FEC may not be sold or utilized for the purpose of soliciting contributions but that the name and address of any political committee may be utilized for the purpose of soliciting contributions from such committee;
- Provides that under certain conditions a corporation may approve the solicitation or contributions by trade associations from the stockholders and executive or administrative personnel of the member corporations of such trade associations;
- Provides that a delegate or candidate for delegate to a convention or caucus of a political party which will nominate candidates for federal office will be deemed as a candidate for election to federal office as concerns limitations contributions, expenditures and reporting requirements--requires such delegates report expenses and contributions which exceed $2,500 (exclusive of travel and subsistence);

S. 1758 9/17/79 Levin et al. Governmental Affairs

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENTAL EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends Title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Service or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;

S. 1758 cont.

- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

S. 2074 12/4/79 Levin Governmental Affairs

BALLOTS - ABSENTEE:
- Provides that requests for absentee ballots within free of postage envelopes will be made available to the general public by the U.S. Postal Service;
- Provides that the U.S. Postal Service will also make free of postage envelopes available to election agencies to be used by persons requesting absentee ballots;
- Provides that free postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

S. 2272 2/7/80 Weicker Judiciary

"Public Prosecutor Act of 1980"

ETHICS - PUBLIC PROSECUTOR, ESTABLISHING POSITION:
- Establishes the Office of Public Prosecutor and Deputy Public Prosecutor, detailing jurisdiction, powers, and relationship with the Attorney General;
- Includes, among others, the national campaign manager or chairman of any national campaign committee for the election of the President and any officer or employee of the Senate or the House of Representatives designated under the rules of the respective body to handle campaign funds as being within the jurisdiction of the Public Prosecutor with respect to any matter involving the violation of serious federal criminal law;

S. 2325 2/21/80 Helms Rules and Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:
- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions:
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as a condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

S. 2366 2/28/80 Huddleston et al. Governmental Affairs

APPORTIONMENT - CENSUS:
- Provides that methods and procedures be used which will assure that illegal aliens not be counted in the decennial censuses for the following reasons:
  1) To prevent the loss of congressional representation of many states by including illegal aliens in the reapportionment base for the House of Representatives
  2) To prevent the citizens and legal residents of many states from receiving less than their proportionate share of federal assistance programs which are distributed completely or partially on population figures

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S. 2648 5/2/80 Pell Rules and Administration
ACTION: 5/2/80 - Reported from Comm., S. Rept. 96-679
5/9/80 - Passed Senate
5/12/80 - Passed House amended
5/16/80 - Senate agreed to House amendment
5/29/80 - Public Law 96-253

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC for the fiscal year ending September 1981;

S. 2827 6/12/80 Hollings et al. Commerce, Science and Transportation

"Communications Act Amendments of 1980"

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Provides that equal broadcast time obligations are not imposed on a licensee

S. 2827 cont.

when debates among presidential and vice presidential candidates are broadcast and those debates are arranged by someone other than a broadcast licensee;
- Directs the Federal Communications Commission to prescribe regulations to ensure that a legally qualified candidate for federal office is allowed reasonable access to certain cable television systems;

S. 2905 6/30/80 Domenici Rules and Administration

CAMPAIGN FINANCING - CONTRIBUTION:
- Amends the Federal Election Campaign Act of 1971 to include the value of services provided by professional entertainers within the definition of "contribution";

S. 3031 6/12/80 Levin Governmental Affairs

"Federal Employees' Political Activities Act of 1979"

GOVERNMENTAL EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends Title 5 U.S.C. removing present prohibitions barring Federal and D.C. employees from taking an active part in political campaigns, except for U.S. Postal Service or Postal Rate Commission employees and certain employees in restricted positions (as designated by the Office of Personnel Management), including employees involved with: foreign intelligence or security, law enforcement, contract or grant administration;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees over whom they are superior;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients of or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the office of Personnel Management;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office and requires agency to give employee leave without pay or accrued annual leave upon request of the employee;

S. 3031 cont.

- Provides for the Merit Systems Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Office of Personnel Management and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Office of Personnel Management to study and review the effects of this amendment and report findings to Congress;

S. 3079 9/3/80 Talmadge Commerce, Science and Transportation

ADVERTISING AND SOLICITATION - BROADCAST ACCESS TIME:
- Amends the Communications Act of 1934 to provide that licenses of noncommercial educational television broadcast stations will not be required to furnish access time to qualified candidates for federal elective office;

S. 3127 9/18/80 Dole Finance

CAMPAIGN FINANCING - PUBLIC FINANCING - PRESIDENTIAL CAMPAIGNS:
- Amends the Presidential Election Campaign Fund Act to prohibit a major party Presidential candidate from receiving public funds when that candidate refuses to accept an invitation to debate other Presidential candidates under the following conditions:
    1. The debate is sponsored by a recognized national organizaton
    2. Such debate is during a general election for President
    3. Such organization has received a commitment for nationwide media coverage
    4. One or more major party candidates have accepted the invitation to debate
    5. The Commission determines that the organization has made reasonable efforts to accommodate the schedules of the candidates and that the refusal is not based upon a prior commitment which has caused a bona fide schedule conflict

S. 3138 9/23/80 Bentsen Rules and Administration

CAMPAIGN FINANCING - LOANS:
- Amends the Federal Election Campaign Act to prohibit the use of campaign contributions in the repayment of a loan made by a candidate to his campaign;

S. 3191 11/12/80 McClure Commerce, Science and Transportation

RETURNS - RESTRICT RELEASE IN PRESIDENTIAL ELECTIONS:
- Amends the Communications Act of 1934 to prohibit the broadcast of the results or projections of the results of an election to choose the electors of the President and Vice President of the United States until all polling places are closed;

S. 3204 11/18/80 Hayakawa Rules and Administration

POLLING PLACES - HOURS OF - ELECTORS OF PRESIDENT AND VICE PRESIDENT:
- Provides that the polling places in elections for electors of the President and the Vice President will remain open for a total of twelve hours - all polling places nationwide must be closed at 9:00 p.m. eastern standard time;
- Provides that states which would find it necessary to open their polling places prior to 6:00 a.m. local time in order to remain open for twelve hours may allow polling places to open on the first Monday in November for the balance of the total voting period;
- Prohibits persons from making public any information about the number of votes cast at a Presidential general election prior to the closing of all polling places;

S. 3205 11/18/80 Hayakawa Rules and Administration

POLLING PLACES - HOURS OF - ELECTORS OF PRESIDENT AND VICE PRESIDENT:
- Provides that the polling places in elections for electors of the President and the Vice President will remain open for a total of twelve hours - all polling places nationwide must be closed at 8:00 p.m. eastern standard time;
- Provides that states not on eastern standard time may open polling places after 8:00 p.m. eastern standard time on the first Monday in November but must be closed at 11:00 p.m. eastern standard time until the first Tuesday in November - polls may not be open for more than a total of twelve hours;
- Prohibits persons from making public any information about the number of votes cast at a Presidential general election prior to the closing of all polling places;

S. 3206 11/18/80 Hayakawa Rules and Administration

DAY FOR HOLDING PRIMARIES, CONVENTIONS, AND ELECTIONS - ELECTORS OF PRESIDENT AND VICE PRESIDENT:
- Provides that in calendar years 1982, 1984, 1986 and 1988 the Sunday after the

S. 3206 cont.

first Monday in November is established as the day for election of Representatives to Congress;
- Provides that in calendar years 1984 and 1988, the electors of President and Vice President will be appointed on the Sunday after the first Monday in November;
- Provides that polling places in elections for the electors of President and Vice President in the calendar years 1984 and 1988 will be opened in each state at noon and remain open until 9:00 p.m. eastern standard time;
- Provides that the Federal Election Commission must submit an analysis to the President and the Congress of any effect this Act may have upon voter participation in federal elections;

S. 3207 11/18/80 Hayakawa Judiciary

RETURNS - RESTRICT RELEASE IN PRESIDENTIAL ELECTIONS:
- Provides that information about the number of votes cast at a Presidential general election for any candidate for the office of President of the United States is prohibited prior to the closing of all polling places;
- Provides that punishment for the violation of this provision is a fine not to exceed $1,000, or not more than one year imprisonment, or both;

S. 3249 12/5/80 Cannon Rules and Administration

POLLING PLACES - HOURS OF:
- Provides that the polling places in elections for electors of the President and the Vice President and in elections of Representatives to the Congress will remain open for a twenty-four hour period beginning at 12:01 a.m. eastern standard time;

S.J. Res. 33 2/5/79 Hatfield et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate to directly initiate or repeal laws passed by Congress, through petition and ballot;
- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by three percent of electorate in at least ten states; the total number of signatures must total three percent of the nation's electorate;
- Petition signatures must be collected within an eighteen month period;

S.J. Res. cont.

- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of two-thirds of the members of the House and Senate;

S.J. Res. 189 6/27/80 Stevenson et al. Rules and Administration
ACTION: 12/1/80 - Reported from Comm., S. Rept. 96-1041
12/12/80 - Passed Senate

"Commission on Presidential Nominations Resolution"

PRESIDENTIAL AND VICE PRESIDENTIAL - NOMINATIONS:

- Establishes a twenty member "Commission on Presidential Nominations" to be appointed as follows:
    1. Six members appointed by the president pro tem of the Senate (recommended by the majority and minority leaders with at least two of these members to be Members of the Senate and two to be state officials)
    2. Six members appointed by the speaker of the House of Representatives (at least two of these members to be Members of the House and two to be state officials
    3. Six members appointed by the President
    4. Chairman of the two national political parties to serve as ex officio members
- Provides that the Commission will investigate the following areas:
    1. Presidential primaries and caucuses for the selection of delegates to national political party conventions which are conducted by individual states
    2. State laws and rules of national political parties which govern the participation of voters and candidates in primaries and causcuses
    3. Campaign financing for the nomination of presidential candidates
    4. The relationship between presidential candidates and the news media (how public recognition is achieved and the plausibility of guaranteed TV access)
    5. Alternative nominating systems including a national or regional primary system
    6. The manner in which vice presidential candidates are selected
    7. The extent to which state laws and the Federal Election Campaign Act of 1971 promote or retard independent presidential candidates

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S. Res. 236 9/18/79 Hatfield et al.

CANDIDATES - DEBATES - FUNDING:

- Provides that Senate disapproves of regulations proposed by the Federal Election Commission relating to the funding and sponsorship of candidate debates;

S. Res. 378 2/27/80 Pell Rules and Administration
ACTION: 2/27/80 - Reported from Comm., S. Rept. 96-595

CANDIDATES - CAMPAIGN INFORMATION:
- Provides that a compilation of materials of Senate campaign information, including federal and state laws governing election to the U.S. Senate entitled "Senate Election Law Guidebook - 1980," be printed as a Senate document;

H.R. 1 1/15/79 Mikva et al. House Administration
ACTION: 3/15, 20, 21, 22 & 27 - Hearings before full committee

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CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaigns for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within forty-eight hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
  1. To furnish them with campaign records (contributions and expenditures)
  2. To cooperate in any audit conducted by the Commission
  3. To receive only contributions approved of in 2 U.S.C. sec. 441a
  4. To expend not more than $150,000 in campaign
  5. To expend not more than $25,000 of personal funds or funds of any member of the immediate family in the campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan, subscription, advance, deposit or contributions of products or services shall not be taken into account;
- Contributions received from any entity other than an individual shall not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before January 1 of a general election year or after date of the election shall not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;
- Additional matching payments not exceeding forty percent of $150,000 (expenditure limitation) to be paid in increments of $10,000;
- At least two candidates have qualified for the election ballot in the state;
- Non-state contributions will not be matched if such contributions exceed twenty percent of aggregate matchable contributions;
- Aggregate payments to all candidates in an election shall not exceed three times the maximum amount payable in matching funds;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

H.R. 1 cont.

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditures for the opposing candidate is removed and he is eligible to receive additional matching funds;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission shall suspend the limitation on expenditures;
- One campaign mailing allowed which is not included when totaling expenditures at least two weeks prior to election not exceeding ten percent or $150,000;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in account;

CONTROLS AND ENFORCEMENT:
- After each general election the Commission will audit ten percent of randomly selected eligible candidates;
- If four Commission members vote that a reason exists for believing that violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit shall be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 69 1/15/79 Bennett House Administration

CANDIDATES - EXPENDITURES:
- Requires sufficient funds be maintained in candidate or political committee checking account to cover all expenditures at the time the expenses occur;
- No person may provide services or goods to a candidate or political committee prior to payment by the receiver;

H.R. 72 1/15/79 O'Brien House Administration

"Voting Rights for the Elderly and the Handicapped Act"

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Requires efforts be made to locate polling and registration places for federal elections readily accessible to physically handicapped and elderly voters: 1) buildings accessible by wheelchairs; 2) located on ground floor or location in building accessible by elevator;
- Requires filing of report with Attorney General sixty days before election or close of registration when standards prescribed not met;
- States having established equivalent building standards not required to comply;

H.R. 72 cont.

- Alternative methods of voting provided when standards prescribed not met: 1) selection of alternative polling place within same congressional district; 2) absentee ballot or curbside balloting outside polling place; 3) any other method guaranteeing right to vote;
- Public notice of alternative voting or registration method must be issued sixty days before election or registration deadline;
- For those unable to use voting machines: 1) paper ballots must be provided; 2) individual must be allowed to select another individual to accompany him to the polls or braille ballots must be available; or 3) any other alternative method guaranteeing the right to vote;
- Attorney General may institute in name of U.S. any action in U.S. district court which will assure implementation of this Act;

H.R. 125 1/15/79 Bennett House Administration

"Regional Presidential Primaries Act of 1979"

PRIMARIES - PRESIDENTIAL - REGIONAL:
- Establishes six regional Presidential preference primaries beginning in March and ending in June;
- Voters may vote only for the candidates of voters' registered party affiliation or vote for any one candidate of any political party if not registered with any party;
- Ballots to select convention delegates must indicate name of party candidate;
- In order to receive matching payments of public funds for primary campaign, candidate must agree to appear on ballot of at least one state in each of six regions;

H.R. 319 1/15/79 Fish House Administration

ASSISTANCE TO VOTERS - ELDERLY - HANDICAPPED:
- Substantially the same as H.R. 72 except it does not specifically mention providing braille ballots for those unable to operate the voting machine;

H.R. 364 1/15/79 Gradison Post Office and Civil Service

FRANKING PRIVILEGE:
- Prohibits any mass franked mailings by a Senate or House Member sixty days before a primary for the public office held by the member (regardless of whether the member participates in the primary) or 120 days before a general or special election in which the member is a candidate;

H.R. 496 1/15/79 Howard House Administration

"House of Representatives Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants not later than ten days after application;
    1. That campaign expenditures will not exceed $100,000
    2. That candidate has qualified to have name on election ballot
    3. That the aggregate of contributions toward campaign exceed $10,000; the aggregate of individual contributions within $10,000 total does not exceed $100
- Agrees with FEC:
    1. To obtain and furnish evidence requested by FEC pertaining to campaign expenses
    2. To keep and furnish to FEC records of date and amount of contribution, full name and address of contributors
    3. Agree to audit by FEC and abide by decisions which may result including reimbursement of matching payments made through error or fraud
    4. That the aggregate of candidates' personal funds expended in campaign does not exceed $10,000

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Equal to amount of each contribution except:
    1. Contributions received from individuals which exceed $100
    2. Any personal funds of candidate used in campaign
    3. Total amounts of payments cannot exceed $50,000 for individual candidate
    4. The aggregate amount of payments to all candidates in one campaign for an elective office cannot exceed $100,000
- Contributions received before January 1 of a general election year or after date of election will not be taken into account;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- At least two candidates have qualified for the election ballot in state;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs and loans incurred for the election for which they were received;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
- If any candidate exceeds the expenditure limits set in this bill, the FEC will notify the opposing candidates for that office of the inapplicability of the expenditure limitation for the remainder of the campaign for all candidates for that office;

HOUSE OF REPRESENTATIVES ELECTION PAYMENT ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;

H.R. 496 cont.

- Secretary notifies FEC by June 1 in biennial general election year amount to be available in Account;
- FEC will transmit to the Secretary by July 1 a formula for prorating payments to candidates if amount in Account will not be sufficient;

CONTROLS AND ENFORCEMENT:
- After each general election the FEC will conduct an audit of campaign contributions raised to obtain matching funds;
- Provides for participation by the FEC in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

H.R. 548 1/15/79 McCloskey Judiciary

"Voting Rights Act Repealer Amendments Act of 1978"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude language minority groups;

H.R. 564 1/15/79 Mazzoli House Administration

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Provides for public financing of general election campaign for the House of Representatives and Delegates and Resident Commissioner to Congress;

CANDIDATE IS ELIGIBLE FOR MATCHING PAYMENTS:
- Requires Commission to certify eligibility of applicants within forty-eight hours of application;
- Certifies to Federal Election Commission (FEC) that campaign contributions of $1,000 have been received for candidate;
- Applies to FEC for initial matching payment of $1,000;
- Agrees with FEC:
    1. To furnish them with campaign records (contributions and expenditures)
    2. To cooperate in any audit conducted by Commission
    3. To receive only contributions approved of in 2 U.S.C. sec. 441a
    4. ** To expend not more than $125,000 in campaign
    5. To expend not more than $25,000 of personal funds or funds of any member of immediate family in campaign

DETERMINATION OF THE AMOUNT OF CONTRIBUTIONS RECEIVED FOR MATCHING FUNDS:
- Contributions received as loan subscription, advance or deposit or contributions of products or services will not be taken into account;
- Contributions received from any entity other than an individual will not be taken into account;
- Contributions received from an individual to the extent that such contribution exceeds $100 shall not be taken into account;
- Contributions received before January 1 of general election year or after date of election will not be taken into account;

H.R. 564 cont.

ENTITLEMENT OF ELIGIBLE CANDIDATE TO MATCHING PAYMENTS:
- Initial payment of $1,000;
** - Not more than five matching payments of $10,000 each;
- At least two candidates have qualified for the election ballot in state;
- Non-state contributions will not be matched if such contributions exceed twenty percent of aggregate matchable contributions;
** - Aggregate payments to all candidates in an election must not exceed $150,000;
- Payments must be deposited in a separate checking account at a national or state bank and withdrawn only by check;
- Payments can be used only to defray election costs for the election for which they were received and cannot be used to repay loans or make payments in any way to candidate or family;

INAPPLICABILITY AND SUSPENSION OF EXPENDITURE LIMITATION:
** - If a candidate does not opt for public financing and spends more than $25,000 in personal funds and more than $75,000 overall, the limitation on expenditure for the opposing candidate is removed and he is eligible to receive not more than five additional matching payments of $10,000 each;
- If independent expenditures are made or costs of communication aggregate more than $50,000, the Commission will suspend the limitation on expenditures;

HOUSE OF REPRESENTATIVES ELECTION CAMPAIGN ACCOUNT:
- Maintained by the Secretary of Treasury in the Presidential Election Campaign Fund;
- Secretary notifies FEC by May 15 in biennial general election year of amount to be available in Account;

CONTROLS AND ENFORCEMENT:
** - After each general election the Commission will audit randomly selected campaign accounts;
- If four Commission members vote that a reason exists to believe violations have occurred in a specific campaign, an audit may be performed prior to election;
- After each special or run-off election, an audit will be conducted;
- Provides for participation by the Commission in judicial proceedings;
- Civil and criminal penalties are specified in the Act;

** Indicates where this bill differs from H.R. 1

H.R. 1169 1/22/79 Ashbrook House Administration

"National Primary Election Act of 1979"

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES - REGIONAL:
- Requires state primaries for Presidential and Vice Presidential candidates to be held on the second Tuesday in March, April, May or June of every Presidential election year;
- Allows political party to be eligible for separate ballot in primary if party's candidate received ten percent of total number of votes cast throughout U.S. in last Presidential election;

H.R. 1169 cont.

- Stipulates candidates qualify only for primary of party of registered affiliation;
- Requires Federal Election Commission to announce publicly tentative list of potential candidates for Presidential nomination of party of affiliation--persons may request admittance or reject inclusion on list;
- Alternative method for gaining admittance on primary ballot is outlined;
- Candidates receiving ten percent or more of total vote cast in a state primary will be allocated delegate votes on first ballot at national nominating convention of affiliated party;

H.R. 1294 1/23/79 Drinan Interstate and Foreign Commerce

"First Amendment Implementation Act of 1979"

ADVERTISING AND SOLICITATION - ELECTION BROADCAST TIME:
- Repeals following sections of Communications Act of 1934:
  (1) Section requiring broadcasting stations to permit legally qualified candidate for federal elective office to purchase reasonable amounts of time to promote candidacy
  (2) Section requiring broadcasting stations to allow all candidates for any public office equal amounts of broadcast time if one candidate for that office is allowed time
  (3) Section prohibiting political editorials by broadcast stations

H.R. 1466 1/24/79 Young House Administration

CANDIDATES - FEDERAL, PRESENT PUBLIC OFFICE RESIGNATION REQUIRED:
- Requires any candidate for a federal elective office to resign any elective public office (federal or state) held, the term of which ends after the beginning of the term of the federal office which such candidate seeks;
- Declares such resignation to be effective as of the beginning of term of office which candidate seeks, and is irrevocable;

H.R. 1516 1/25/79 Leach et al. Judiciary

CONGRESSIONAL DISTRICTS - APPORTIONMENT:
- Amends the Act providing for apportionment of Representatives in Congress (2 U.S.C. sec. 2a) as follows:
- Provides that the legislature of any state may establish by law criteria to meet following standards of apportionment:
    1. Numbers of persons in districts within each state will be as equal as practicable, not differing more than two percent from the quotient obtained by dividing population of state by the number of Representatives entitled

H.R. 1516 cont.

2. Boundaries of each district will, as much as possible, coincide with boundaries of local political subdivisions
3. Each district will be composed of convenient contiguous territory and will be compact
4. Boundaries may not be drawn to favor a political party, incumbent or other individual nor to dilute the voting strength of any language or racial minority group

- Specifies that this Act will not supersede any section of Voters' Rights Act of 1965;
- Specifies that U.S. district courts will have exclusive jurisdiction; appeals must be filed within thirty days after decisions and Supreme Court will hear appeals as soon as practicable;
- Provides that nine months from date a district is established any person meeting qualification of a voter in that district can challenge the apportionment in the district court of that jurisdiction;

H.R. 1783 2/1/79 Erdahl House Administration

CANDIDATES - FILING REPORTS:
- Amends Federal Election Campaign Act of 1971 waiving the filing of certain quarterly reports with the Federal Election Commission;

H.R. 1904 2/8/79 Applegate House Administration

"National Presidential Direct Primary Elections of 1979"

DAY FOR HOLDING ELECTIONS:
- Requires that direct Presidential primary elections be held throughout the United States on the first Tuesday after the first Monday in May of each Presidential election year;

H.R. 1951 2/8/79 Forsythe House Administration,
Post Office and
Civil Service

ADVERTISING AND SOLICITATION - THIRD-CLASS MAILING:
- Amends Federal Election Campaign Act of 1971;
- Allows federal office candidates in general election to mail campaign materials at reduced third-class mailing rates;
- Third-class mailing may begin on date candidate is nominated or qualifies and end on election date;
- Mailing must be made to addresses located in the geographical area involved in election;

H.R. 1951 cont.

- Allows only one clearly identified candidate per mailing;
- Authorizes appropriations to the U.S. Postal Service equal to difference between revenues received under normal campaign mailing rates;

H.R. 1976	2/8/79	Lent	Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Amends title 39 U.S.C. providing third-class postage rates for qualified county political committees be identical to third-class postage rates of qualified nonprofit organizations;

H.R. 2220	2/15/79	Pease	Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Lowers tax credit for political contributions to Congressional candidates from $25 ($50 joint) to $10 ($20 joint);

H.R. 2221	2/15/79	Pease	House Administration, Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Identical to a combination of H.R. 1 and H.R. 2220 respectively;

H.R. 2340	2/22/79	Glickman	Banking, Finance and Urban Affairs

POLITICAL PARTIES - CREDIT CARD SOLICITATIONS:
- Amends the Truth in Lending Act to prohibit political parties from engaging in credit card solicitations;

H.R. 2357	2/22/79	Stratton	House Administration

"Free Political Broadcasting Act of 1979"

ADVERTISING AND SOLICITATION - FREE POLITICAL BROADCASTING TIME:
- Provides free radio and television time to eligible candidates for election to Federal office who are of a major party, third party, or minor party and are properly certified;

H.R. 2357 cont.

- Each eligible candidate shall receive free broadcast time as follows:
    1. Presidential or Vice Presidential candidate of major party--two and one-half hours; of third party--one hour; and of minor party--thirty minutes, with no more than thirty minutes to be used in any five-day period
    2. Candidate for Senate of major party--two hours; of third party--sixty minutes; and of minor party--thirty minutes, with no more than thirty minutes to be used in any five-day period
    3. Candidate for Representative or Resident Commissioner of major party --one hour, no more than thirty minutes to be used in any ten-day period; and of third party or minor party--fifteen minutes, total not to be used in any ten-day period
- Candidate of third or minor party who is an incumbent shall receive the amount of free broadcast time allotted to a major party candidate;
- Free broadcast time shall be used to promote rational discussion and debate of election issues, no more than twenty-five percent used to present other than candidate's own remarks;
- No less than one minute of free time shall be used in one program, and no more than fifteen minutes of free time in any twenty-four hour period;
- Free broadcast time will be available from thirty days before the election until the close of the day before the election, seventy-five percent made available during prime air time;

H.R. 2400 2/26/79 Clay Post Office and Civil Service

"Postal Service Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends title 39 U.S.C. removing present prohibitions barring employees of the U.S. Postal Service or the Postal Rate Commission from taking an active part in political campaigns;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any persons whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Postal Service or the Postal Rate Commission;

H.R. 2400 cont.

- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees' to notify agency regarding candidacy for public office; agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit System Protection Board to impose penalties (suspension or removal) for violation of this Act;
- Provides for the Postal Service, the Postal Rate Commission and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Postal Service to study and review the effects of this amendment and report findings to Congress;

H.R. 2401 2/26/79 Clay Post Office and Civil Service

"Federal Employees' Political Activities Act of 1979"

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES - HATCH ACT:
- Amends title 5 U.S.C. removing present prohibitions barring Federal and D.C. employees from taking an active part in political campaigns, except for U.S. Postal Service or Postal Rate Commission employees and certain employees in restricted positions (as designated by the Office of Personnel Management), including employees involved with: foreign intelligence or security, law enforcement, contract or grant administration;
- Prohibits employees from using their official authority to influence an election, to threaten or coerce anyone for the purpose of interfering with his right to vote, or to cause him to engage in any form of political activity, including making or not making a political contribution;
- Prohibits employees from using for political purposes official information obtained through their employment unless the information is available to the general public;
- Prohibits employees from giving a contribution to a superior;
- Prohibits employees from soliciting, accepting or receiving political contributions from employees with respect to whom they are superiors;
- Prohibits employees from soliciting, accepting or receiving a political contribution from any person whom they regulate, audit or investigate, or from persons who are the recipients or applicants for any contract or grant except where exempt from these restrictions by regulations prescribed by the Office of Personnel Management;
- Prohibits political activity by employees while on duty, in official building or wearing official uniform;
- Requires employees to notify agency regarding candidacy for public office and agency must give employee leave without pay or accrued annual leave upon request of the employee;
- Provides for the Merit Systems Protection Board to impose penalties (suspension or removal) for violation of this Act;

H.R. 2401 cont.

- Provides for the Office of Personnel Management and the Merit Systems Protection Board to prescribe rules and regulations to carry out these provisions;
- Provides for the Office of Personnel Management to study and review the effects of this amendment and report findings to Congress;

H.R. 2653 3/6/79 Hanley Judiciary

"Congressional Districting Act of 1979"

CONGRESSIONAL DISTRICTS - APPORTIONMENT:
- Amends apportionment of Representatives in Congress (2 U.S.C. sec. 2a) as follows:
- Number of Congressional Districts to which each state is entitled will be established by an appointed redistricting commission--each district electing one representative;
- Redistricting commission will consist of five members--none may be officers of federal, state or local government;
- Each of the following will appoint one commission member where a partisan bicameral legislature is in effect in the state: 1) president of senate, 2) speaker of the house, 3) minority leader of senate, and 4) minority leader of the house;
- When nonpartisan bicameral legislature is in effect in the state, leader of each house will appoint two members of commission;
- When unicameral legislature is in effect, leader of legislature will appoint four members of commission after consulting with leaders of political parties in the state;
- The four members appointed by one of these methods will select a fifth member to be chairman, by affirmative vote of at least three members;
- Commission will conduct public hearings on preparation of planned boundaries and submit plan to Federal Election Commission (FEC), which will publish the plan in the Federal Register. Plan becomes effective forty-five days after publication;
- Determination of boundaries cannot be made to minimize voting strength of any racial, ethnic, economic group or to favor any political party;
- Districts must be composed of contiguous territory;
- Boundaries of each district must coincide with boundaries of local political subdivision;
- District courts of the United States shall have exclusive jurisdiction to hear and determine any action which shall be heard by a three-judge court with an appeal to the Supreme Court where such cases will have priority on the docket;
- The FEC will administer and distribute to each state funds needed to carry out apportionment;

H.R. 2769 3/8/79 Thomas Judiciary

"Voting Rights Act Repealer Amendments Act of 1979"

VOTING RIGHTS ACT - LIMIT:
- Limits coverage of the Act to exclude "language minority" groups;

H.R. 2849 3/13/79 Maguire et al. House Administration

"Congressional Campaign Financing Act of 1979"

CAMPAIGN FINANCING - PUBLIC FINANCING - CONGRESSIONAL CAMPAIGNS:
- Congressional Election Payment Account established in the Presidential Election Campaign Fund for the payment of qualified campaign expenses incurred by Congressional candidates in primary and general election campaigns;
- To be eligible to receive payments, at least two candidates must qualify for the ballot, candidate must make certain agreements regarding record keeping, auditing and expenditure limitations, and candidate is required to have received the following minimum contributions:
  1. House: $7,500
  2. Senate: (dollar amounts not included in bill)
- Entitlements: Eligible candidates entitled to matching payments equal to amount of contributions from residents of State in which election is held;
- Candidate who is not political party candidate will not be entitled to receive matching payments for primary campaign after the date of the last primary election held by a political party to nominate a candidate for the same office;
- In order to count toward threshold amount of minimum contributions or to be matched, contribution must be made during the calendar year of the election or the year immediately preceding;
- The total amount of public funds which a candidate may receive may not exceed fifty percent of his expenditure limitation;
- No contribution will be counted toward minimum or will be matched to the extent that it exceeds $100 per contributor;
- FEC must certify all payments and determinations are subject to judicial review;
- If funds in Account are insufficient to pay full entitlement of all candidates, they will receive a pro rata share;
- Criminal penalties prescribed for excess campaign expenditures, unlawful use of payments, false statements to FEC, kickbacks or making illegal payments;

EXPENDITURE LIMITATIONS:
- Candidates receiving public funds must agree to the following expenditure limitations:
  1. Senate:
     a. Primary (dollar amounts not included in bill)
     b. General Election (dollar amounts not included in bill)

H.R. 2849 cont.

2. House: $125,000 in a primary or general election
- Candidate who does not receive public funds and is not subject to limitations must report to FEC within forty-eight hours after first making expenditures in excess of the limitations applicable to candidates receiving public funding;
- When candidate reports to FEC that he has exceeded expenditure limitations, no other candidate in race will be subject to limitations, regardless of whether or not public funds are accepted;
- In addition to candidate's expenditure limitation, political party may expend certain amounts on general election campaign (See 2 U.S.C. sec. 441a(d));

H.R. 3114 3/20/79 Pease House Administration
Ways and Means

CAMPAIGN FINANCING - PUBLIC FINANCING - TAX CREDIT:
- Similar to H.R. 2221 except that it allows taxpayers to file tax credit under sec. 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3430 4/4/79 Jeffords House Administration

HONORARIA - LIMITATIONS:
- Amends the Federal Election Campaign Act of 1971 to prohibit members of Congress from accepting any honorarium (including paid or reimbursed expenses) in excess of $500;

H.R. 3438 4/4/79 McClory Judiciary

VOTING RIGHTS ACT - LIMIT:
- Identical to H.R. 2769;

H.R. 3534 4/9/79 Pease House Administration
Ways and Means

CAMPAIGN FINANCING - TAX CREDIT:
- Similar to H.R. 2220 except that it allows taxpayers to file tax credit under sec. 41 of the Internal Revenue Code of 1954 (contributions not exceeding $25 ($50 joint) for taxable year) if congressional candidate contributions exceed the limit of this bill, $10 ($20 joint) for each candidate;

H.R. 3834 5/1/79 Jacobs House Administration

"Vendor Payment Act"

CAMPAIGN FINANCING - PUBLIC FINANCING - ADVERTISING:
- Provides for public financing of advertising and related expenses for candidates for election to the House of Representatives;

CANDIDATE ELIGIBLE FOR CAMPAIGN ALLOTMENT:
- Requires arranging in advance advertisement for the various media and installation of telephone equipment if question-and-answer format is used and submitting schedule to Federal Election Commission (FEC) not later than ten days before election;
- Certify to FEC that other expenditures (from personal, family or campaign contributions) will not be used for advertisements or telephone installation;
- Agrees to furnish FEC with a separate listing for television, radio and newspaper allotment specifying date and time or amount of space used, name of station or newspaper, and name of company installing telephones;

ENTITLEMENT OF ELIGIBLE CANDIDATE TO FOLLOWING CAMPAIGN ALLOTMENTS:
- Television time--one and one-half hour (each segment at least five minutes long);
- Radio time--135 minutes (each segment at least five minutes long);
- Newspaper advertising--126 column inches or one page, whichever is greater, (no individual advertisement can be less than ten column inches) or costs incurred by telephone installation for question-and-answer format;
- FEC will transmit to Secretary of Treasury a formula for prorating payments to all candidates if amount appropriated will not be sufficient to cover applications, candidates and media affected will be promptly notified of revision;

PARTICIPATING MEDIA COOPERATION SPECIFIED AS FOLLOWS:
- Requires media used to submit report of charges to Commission not later than ten days before election; Commission will notify media upon certification by Secretary that payment will be made not later than thirty days;
- Provides that, if Commission fails to certify charge, candidate and media involved will be allowed ten days to submit amended schedules and reports;

H.R. 3913 5/3/79 Sensenbrenner House Administration

FEDERAL ELECTION COMMISSION:
- Amends Federal Election Campaign Act of 1971 extending the period of limitations applicable to prosecutions from three to five years;

H.R. 4212 5/23/79 Ottinger House Administration

"Regional Presidential Primaries Act of 1979"

H.R. 4212 cont.

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:
- Establishes five regional Presidential primary election districts and sets dates for primary elections to be held in such districts for the purpose of electing delegates to the national political conventions;
- Candidates certified by the FEC to receive public financing for their primary campaigns must be placed on the ballot; in addition, candidates may have their names placed on the ballot of any state participating in the primary if they present a petition signed by at least one percent of persons registered to vote in the state;
- Voter eligible to vote only for delegates for a candidate for nomination by party of voter's registered affiliation;
- Delegates must vote for nomination of candidate for whom he or she was appointed until two ballots have been taken, or such candidate receives less than twenty percent of vote on a ballot or until such candidate releases such delegate;
- Directs Federal Election Commission to reimburse each state for costs of conducting a regional primary under this Act;
- Directs the Commission to report to the Congress and the President on steps it has taken to carry out such regional primary system;
- Declares that this Act shall supersede and preempt state laws relating to the nomination of any Presidential candidate;

H.R. 4244 5/30/79 Burton House Administration

QUALIFICATIONS TO VOTE - AGE:
- Grants citizens who will be eighteen years of age or older on the date of the related general or special election the right to vote in any primary or runoff election for federal office;

H.R. 4339 6/6/79 Glickman Post Office and Civil Service

CAMPAIGN FINANCING - POSTAL RATES:
- Repeals third-class postal rates authorized for political committees;

H.R. 4412 6/11/79 Stack House Administration

BALLOTS - SAMPLE:
- Requires U.S. Postal Service to furnish free of charge facilities, equipment and manpower to all political subdivisions for the mailing and delivery of sample ballots and sample ballot card information;
- Requires that sample ballots and information be mailed to each registered voter no less than five nor more than ten days prior to a general election;

H.R. 4412 cont.

- Requires cost of preparation for designating specific candidates for office as well as directions and instructions for the operation and usage of specific types of voting equipment to be borne by respective states or political subdivisions;
- Designates that Federal Election Commission will monitor violations of this Act;

H.R. 4759	7/12/79	Bonker	Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4768	7/12/79	Minish	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - MULTICANDIDATE POLITICAL COMMITTEE:
- Amends Federal Election Campaign Act of 1971 reducing contribution allowed to a candidate by multicandidate political Committee from $5,000 per candidate to $1,000 per candidate;

H.R. 4773	7/12/79	Tauke	Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency and vice versa of absentee ballots in any election or referendum conducted under authority of an election agency;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4843	7/18/79	Corcoran	Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to the state

or local election authority and vice versa of absentee ballots in any federal election;
- Free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 4970 7/26/79 Obey et al. House Administration

CAMPAIGN FINANCING - NON-PARTY MULTICANDIDATE POLITICAL COMMITTEES:
- Amends the Federal Election Campaign Act in the following ways:
- Prohibits nonparty multicandidate political committees from making contributions to a candidate for House of Representatives which exceed the following amounts in any calendar year:
    1. $5,000 - general or special election and primary election relating to such general or special election
    2. $7,500 - general or special election and both a primary and a runoff election relating to such general or special election (not more than $5,000 for one election)
- Prohibits candidates for House of Representatives from accepting contributions from other than committees of a political party which exceed $50,000 in any calendar year except:
    1. May accept contributions from other political committees aggregating not more than $50,000 with respect to general or special election and any primary election relating to such general or special election
- Amends the definition of contribution by adding any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail or other similar types of general public political advertising, if such extension of credit is:
    1. Worth more than $1,000
    2. For period of more than thirty days after date on which such goods or services are furnished

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H.R. 5010 7/30/79 Thompson et al. House Administration

ACTION: 9/7/79 - Reported from House Administration Comm. (H. Rept. 96-422)
9/10/79 - Passed House
12/18/79 - Passed Senate amended
12/20/79 - House agreed to Senate Amendment
1/8/80 - Public Law 96-187

"Federal Election Campaign Act Amendments of 1979"

CAMPAIGN FINANCING - CONTRIBUTIONS AND EXPENDITURES:

DEFINITIONS:
1. Candidate
    - Adds that person is deemed to seek nomination for election if such

individual receives or consents to allow another to receive contributions or make expenditures in excess of $5,000;

2. Political Committee
   - Among other things includes local committee of political party which receives contributions in excess of or makes payments exempted from definition of expenditure aggregating in excess of $5,000 per calendar year or makes contributions or expenditures aggregating in excess of $1,000 per calendar year;
3. Contribution
   - a. Includes gift, subscription, loan, advance of money and payment by any person for personal services of another person rendered to a political committee without charge
   - b. Does not include, among other things, certain residential use costs, (including church or community rooms), vendor and volunteer travel expenses not exceeding $2,000 per year for all political committees of a party or $1,000 per election for a single candidate; certain loans made by national or state banks, federal savings and loan institutions, credit unions or any institution whose deposits are insured by FDIC; certain legal and accounting services rendered to political party committees; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising), including such materials which refer to any other candidate; certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
4. Expenditure
   - a. Includes purchase, payment, distribution, loan, advance, deposit or gift of money and also means a written contract, promise, or agreement to make an expenditure
   - b. Does not include, among other things, news story, nonpartisan register to vote activity, any communication by certain membership organization or corporation to its members, stockholders, executive or administrative personnel, except certain communications expressly advocating the election or defeat of candidate if costs exceed $2,000 for any election; certain payments made by political party committees for campaign materials used in volunteer activities (eg., pins, bumper stickers, etc., but not broadcast, newspaper, billboard or other general public advertising); certain payments for costs of voter registration and get-out-the-vote activities of a state or local committee of a political party on behalf of nominees for President and Vice President; and payments made as a condition of ballot access
5. Person
   - Includes individual, partnership, committee, association, corporation, labor organization, but does not include federal government;

H.R. 5010 cont.

POLITICAL COMMITTEES:
- Requires that the treasurer be appointed prohibiting committees from making expenditures or receiving contributions when there is vacancy in that office;
- Requires contributions to authorized political committees and contributions to all committees of $50 or more be forwarded to treasurer no later than ten days after receiving; contributions of $50 or less to other political committees must be forwarded no later than thirty days;
- Specifies recordkeeping duties of treasurer to include, among other things, the name and address of contributors of $50 or more and identification of persons contributing, in the aggregate, $200 or more per calendar year; identification of any political committee making contribution; name and address of persons to whom expenditures are made (receipt, invoice or cancelled check required for disbursements in excess of $200); requires all such records be preserved for three years;
- Specifies all funds of a political committee must not be commingled with the personal funds of any individual;
- Requires that candidates designate principal campaign committee within fifteen days of becoming candidate;
- Stipulates that additional authorized committees may be designated but that such committee can support only one candidate except where presidential candidate may designate national committee of political party (the national committee must maintain separate "principal campaign committee" book of accounts) and where other candidates may designate a committee established solely for purpose of joint fundraising;
- Authorized committee must include in its name the name of authorizing candidate;
- Requires designation of one or more state banks or certain other banking facilities as a campaign depository - disbursements to be made by check drawn on required checking accounts of political committee;
- Outlines information to be included in statement of a political committee which must be filed within ten days of such designation;

REPORTING REQUIREMENTS:
- Requires candidates and their principal campaign committees to file eight reports within a two-year cycle (six for both together during an election year, and two for both together during a nonelection year);
- Requires Presidential candidates to file thirteen reports within a two-year cycle (twelve in an election year and two in a nonelection year);
- Requires multicandidate committees to file from ten to twenty-four reports within a two-year cycle (eight to twelve reports in an election year and two to twelve reports in a nonelection year);
- Requires persons who make independent expenditures of $250 or more during a calendar year advocating the election or defeat of a candidate, must file a statement;
- Allows political committees to submit ten pseudonym contributor names in order to protect against illegal use of names and addresses of contributors - committees must submit a separate list identifying fictitious names to Commission; these separate lists would not be made public;

H.R. 5010 cont.

- Allows non-candidate committees to file with appropriate Secretary of State only that portion of their disclosure report applicable to candidates seeking election in that state;

FEDERAL ELECTION COMMISSION:

- Outlines procedures and qualifications necessary for appointment to FEC requiring among other things that such members liquidate or terminate any other business, vocation or employment ninety days after appointment;
- Provides that the Commission may employ or appoint counsel to appear in and defend against any action instituted under the Act without regard to the provisions of Title 5 U.S.C.
- Details powers of the Commission including rendering advisory opinions to any person submitting certain written requests no later than sixty days after request is received or no later than twenty days if opinion is requested by a candidate or authorized committee of candidate during sixty-day period before any election for federal office;
- Provides that FEC "Clearinghouse" compile information and review procedures regarding the administration of federal elections--allows contracts to fulfill this objective to be entered into;
- Provides that FEC is to have exclusive jurisdiction for civil enforcement of campaign laws;
- Provides that those who act upon advisory opinions that they have requested or those whose circumstances are indistinguishable from opinions previously rendered may rely upon the opinions and not be subject to any sanction provided by this Act;

ENFORCEMENT:

- Provides that, prior to conducting an audit of any political committee, an internal review of reports of selected committees to determine if threshold requirements have been met as well an affirmative vote of four Commission members must occur; audit must occur within thirty days of such vote within six months of the election for which committee is authorized;
- Requires Commission to notify any person alleged to have committed a violation of this Act within five days after Commission has received written, signed, sworn to and notarized complaint of such allegation; such person will have fifteen days to demonstrate, in writing, that no action should be taken against him;
- Requires affirmative vote of four members of the Commission that there is probable cause to believe a violation has occurred or is about to occur before Commission may attempt, for at least thirty days and not more than ninety days, to enter into a conciliation agreement;
- Allows one hundred twenty day time period during which a complainant may seek court action because the FEC failed to act on his complaint;
- Provides that court action promulgated under this title will be put ahead of actions on the docket of the court in which it is filed;

CONTRIBUTIONS BY FEDERAL EMPLOYEES:

- Provides that solicitations of political contributions by candidates for Congress, members of Congress or any federal employee from any officer or employee of the federal government is prohibited;
- Provides that any officer or employee of the federal government may make voluntary contributions provided that the recipient of the contribution is not the employer or employing authority of the person making the contribution;

H.R. 5010 cont.

- Prohibition against soliciting or receiving contributions in a federal building would not apply to contributions received by mail so long as the contribution was not solicited in a federal room or building and is forwarded within seven days to a campaign committee;

MISCELLANEOUS:

- Provides that contributions received by a candidate in excess of amount needed to defray expenditures may not be converted to any personal use by any person who is not a Senator or Representative at the time this amendment is passed but may be used in the following ways:
  1) To defray necessary expenses incurred with duties as a federal office holder
  2) Contributed to certain organizations specified in sec. 170(c) of the Internal Revenue Code
  3) Used for any other lawful purpose including transfers without limitations to any national, state or local committee of any political party
- Stipulates that any communication through any broadcasting station, newspaper, direct mail or other type of general public political advertising expressly advocating the election or defeat of a clearly identified candidate must clearly state the name of person paying for the communication and whether or not it is authorized by the candidate or candidate's authorized committee;
- Raises from $2,000,000 to $3,000,000 the amount that each major political party may receive from the Presidential income tax check-off fund to operate its Presidential nominating convention;

H.R. 5081	8/2/79	Erlenborn	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Prohibits political committees other than national, state or local political party committees which are established by a national political party from making contributions to any candidate;

H.R. 5377	9/24/79	Rhodes et al.	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends Federal Election Campaign Act of 1971 changing the definition of "contribution" to include the value of volunteer services on behalf of a candidate or political committee unless such services are under the auspices of a corporation, labor organization, or any of their committees;

H.R. 5478	9/28/79	Ritter	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Amends the Federal Election Campaign Act of 1971 changing the amount of an individual contribution which must be included in the campaign reports of a candidate who is not an incumbent and who is a candidate for the office of Representative

H.R. 5478 cont.

from more than $100 to more than $500;

H.R. 5529 10/10/79 Spellman Post Office and Civil Service

BALLOTS - ABSENTEE:
- Provides for the free use of postage mailing from an individual to an election agency of absentee ballots in any election or referendum conducted under authority of an election agency;
- Provides that any voting instruction, sample ballot, absentee ballot and envelope and registration application sent by election agency to voter and any registration application returned by individual to an election agency qualifies for third-class postage rates;
- Provides that free postage and third-class postage rates do not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955, the Overseas Citizens Voting Assistance Act of 1955 or the Overseas Citizens Voting Rignts Act of 1975;

H.R. 5564 10/12/79 Emery et al. House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends Federal Elections Campaign Act of 1971 providing that no person will make contributions exceeding $1,000 to a political committee advocating the election to federal office of any specific individual who is not a candidate for such office;

H.R. 5568 10/12/79 McDonald House Administration

FEDERAL ELECTION COMMISSION:
- Provides that Federal Election Commission be abolished, that all past decisions or regulations made by Commission will have no effect and that all functions, activities, powers and duties of Commission not be transferred to any other establishment of government;

H.R. 5824 11/7/79 Rose Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - PROHIBITS BROADCASTING OF HOUSE PROCEEDINGS:
- Amends the Communications Act of 1934 to prohibit transmission of any audio or visual broadcasting or recording of floor proceedings of the House of Represen-

H.R. 5824 cont.

tatives if such transmission is for the purpose of influencing the outcome of any election for public office;
- Transmission prohibition does not apply if a broadcast is considered to be one of the following:
  1) Bona fide newscast
  2) Bona fide news interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including political conventions and activities incidental to such conventions)
- Criminal penalties are specified in the Act;

H.R. 6017	12/4/79	Downey	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Amends the Communications Act of 1934 to provide that the requirements of sec. 315, which relates to equal broadcasting opportunities for political candidates, will not apply to candidates for the offices of President and Vice President;

H.R. 6103	12/11/79	Van Deerlin	Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Amends the Communications Act of 1934 to provide that the requirements relating to equal broadcasting opportunities for political candidates will not apply to candidates for the office of President or Vice President who use a broadcasting station without the payment of any charge;
- Provides that the license involved will not have editorial control over the material broadcast in connection with such an appearance except for the following types of programs:
  1) Bona fide newscast
  2) Bona fide interview
  3) Bona fide news documentary
  4) On-the-spot coverage of bona fide news events (including any debate between candidates for the office of President or Vice President)

H.R. 6187	12/19/79	Leach	Post Office and Civil Service

ADVERTISING AND SOLICITATION - THRID-CLASS MAILING:
- Repeals special bulk third-class mail rates for political committees;

H.R. 6325 1/29/80 Broomfield House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends the Federal Election Campaign Act of 1971 to exclude from the definition of the term "contributions" donations to a county committee of a political party for construction or purchase of certain office facilities;

H.R. 6345 1/30/80 Jacobs House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contributions;

H.R. 6473 2/11/80 Bereuter House Administration

"Campaign Contributions Utilization Reform Act of 1980"

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting excess campaign contributions to personal use or to defray any ordinary expenses incurred in connection with his or her duties as a holder of federal office;

H.R. 6510 2/13/80 Jenkins Ways and Means

GOVERNMENT EMPLOYEES - POLITICAL ACTIVITIES:
- Amends the Social Security Act permitting a state to modify its coverage agreement so as to exclude services performed in any year by an election official or election worker if the remuneration paid for such services is less than $300 (instead of $100 as at present)

H.R. 6530 2/19/80 Harris House Administration

CAMPAIGN FINANCING - SURPLUS FUNDS:
- Amends the Federal Election Campaign Act of 1971 to prohibit any person from converting to personal use any excess campaign contribution;

H.R. 6568	2/21/80	Mathis	Armed Services House Administration

REGISTRATION - AUTOMATIC UNDER MILITARY SELECTIVE SERVICE ACT:
- Provides that the Director of Selective Service will forward to the appropriate local voter registration authorities the name, address and age of any individual who registers under the Military Selective Service Act;

H.R. 6577	2/22/80	Jeffords	Post Office, Civil Service and Judiciary

APPORTIONMENT - CENSUS:
- Requires the Secretary of Commerce, in each decennial census, to specify the number of aliens in each state and provides that illegal aliens will not be counted for purposes of the apportionment of Representatives in Congress;

H.R. 6634	2/27/80	Thompson	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends title 18, sec. 603, of the U.S.C., making it unlawful for any person in the employ of the Congress to make a political contribution of money to a Member of Congress if the Congressman serves as the employer or employing authority of such person;
- Prohibits any Congressman or his or her authorized committee to accept knowingly a political contribution of money from such employee;
- Provides that any person violating this section will be fined not more than $1,000 or imprisoned not more than one year, or both;

H.R. 6637	2/27/80	Dickinson	House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS - EXPENDITURES:
- Amends the Federal Election Campaign Act of 1971 providing that nothing will preclude any corporation or labor organization from establishing and administering a separate contributory fund for any political purpose, under the following conditions:
  1) Contributions, gifts or payments are made freely and voluntarily
  2) Contributions are unrelated to dues or fees required as condition of membership in such organization or as a condition of employment
  3) Money is not obtained in any commercial transaction

H.R. 6702 3/4/80 Thompson House Administration
ACTION: 3/6/80 - Reported from Comm., H. Rept. 96-816
3/10/80 - Passed House
3/18/80 - Referred to Senate Rules and Administration Comm.
9/3/80 - Reported from Comm., S. Rept. 96-922
9/9/80 - Passed Senate amended

CAMPAIGN FINANCING - CONTRIBUTIONS:

- Provides that voluntary political contributions by federal employees are lawful except that it is unlawful for any person to make a political contribution to their immediate employer or employing authority;

H.R. 6769 3/11/80 Hillis Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:

- Provides that methods and procedures be used which will assure that illegal aliens will not be counted in the decennial censuses for the following reasons:
  1) To prevent the loss of congressional representation of many states by including illegal aliens in the reapportionment base for the House of Representatives
  2) To prevent the citizens and legal residents of many states from receiving less than their proportionate share of federal assistance programs which are distributed completely or partially on population figures

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H.R. 6791 3/12/80 Bonker Post Office and Civil Service

BALLOTS - ABSENTEE:

- Provides for the free use of postage mailing in any federal or state election in the following instances:
  1) For the mailing of post card absentee ballot requests from an individual to an election agency
  2) For the mailing of any absentee ballot sent by the election authority to an individual and vice versa
- Provides that the Postal Service will prepare and make available without charge to all post offices requests for absentee ballots postal cards as well as lists containing the names and addresses of all election agencies and their respective requirements for obtaining absentee ballots;

H.R. 6791 cont.

- Provides that free postage does not apply to mail transmitted under the provisions of the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975;

H.R. 6812 3/13/80 Grassley Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:
- Identical to H.R. 6769;

H.R. 7071 4/16/80 Bennett House Administration

CAMPAIGN FINANCING - REPORTING REQUIREMENTS:
- Provides that all persons required to submit reports to the FEC must report any offset, refund or notice of reporting error relating to such contribution, expenditure, cost or amount not later than two days after the offset, refund or notice of reporting error occurs;
- Requires the FEC to publish each report of an offset, refund or notice of reporting error not later than ten days after the report is received;

H.R. 7281 5/7/80 Thompson et al. House Administration
ACTION: 5/8/80 - Reported from Com., H. Rept. 96-929
5/12/80 - Passed House
5/12/80 - Proceedings vacated. Laid on table
5/12/80 - Passed in lieu, S. 2648 as amended

FEDERAL ELECTION COMMISSION - APPROPRIATIONS:
- Authorizes appropriations for the FEC for fiscal year 1981;

H.R. 7316 5/8/80 Tauke House Administration

HONORARIA - LIMITATIONS:
- Provides that no employee of a Member or committee of the House of Representatives may accept any honorarium for any appearance, speech or article which exceeds the following amounts: 1) more than $1,000 (excluding amounts accepted for actual travel and subsistence expenses for the employee and certain other persons); or 2) honorarium aggregating more than fifteen percent of the aggregate salary paid to such person during any calendar year;

H.R. 7501 6/5/80 Davis House Administration

CAMPAIGN FINANCING - CONTRIBUTIONS:
- Amends the Federal Election Campaign Act of 1971 by allowing a membership organization, cooperative, or corporation without capital stock to solicit contributions from "families of members" as well as members;

H.R. 7568 6/12/80 Tauke et al. House Administration

HONORARIA - LIMITATIONS:
- Amends the Federal Election Campaign Act of 1971 to prohibit an employee of a member or committee of the House of Representatives from accepting honorariums aggregating more than $1,000 from any particular person or organization in any calendar year;
- Prohibits certain full-time employees of a Memeber or committee of the House of Representatives from earning outside income in excess of 15% of their aggreate salary;

H.R. 7572 6/12/80 Waxman Interstate and Foreign Commerce

ADVERTISING AND SOLICITATION - EQUAL BROADCAST TIME:
- Amends the Communications Act of 1934 providing that any appearance by a qualified candidate in a motion picture film, video tape, or theatrical production will not be subject to equal broadcasting opportunities if the production is primarily for public entertainment and if such appearance relates exclusively to the portrayal of a fictional character;

H.R. 7583 6/13/80 Steed Appropriations
ACTION: 6/13/80 - Reported from Comm., H. Rept. 96-1090
8/20/80 - Passed House
8/22/80 - Referred to Senate Appropriations Comm.
9/17/80 - Reported from Comm., S. Rept. 96-955

APPORTIONMENT AND REDISTRICTING - CENSUS:
- Provides appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 1981;
- Provides in part as follows:
- Under the provisions of salaries and expenses of the Office of Administration prohibits the use of funds to calculate or transmit under the twentieth decennial census Congressional apportionment data;

H.R. 7583 cont.

- Under the title "Treasury Department Appropriation Act, 1981" provides that none of the funds appropriated will be used to disqualify any politically non-partisian organization from any tax exemption on corporations (26 U.S.C. sec. 501(c)(3)) because that organization publishes or distributes voters' guides relating to any political campaign;
- Under the title "Postal Sevice Appropriation Act, 1981" provides that no funds appropriated will be used for implementing special bulk third-class rates for "qualified political committees" authorized by P.L. 95-593 other than the national, state, or congressional committee of a major or minor party as defined in P.L. 92-187;
- Provides $9,283,000 for expenses necessary to carry out the provisions of the Federal Election Campaign Act Amendments of 1976;

H.R. 7753 7/2/80 Swift House Administration

PRIMARY ELECTIONS - PRESIDENTIAL - REGIONAL:
- Establishes five regional Presidential primary election districts and sets dates for primary elections to be held in such districts for the purpose of electing delegates to the national political conventions;
- Stipulates that not more than sixty percent of each state's delegate allotment may be chosen by such a primary--forty percent of each state's delegates will be elected in a manner determined by the state political party;
- Provides that the ballot for a regional primary must include a provision for an uncommitted candidate--the uncommitted vote must be allotted a certain number of delegates chosen in a manner determined by each state's political party;
- Provides that the following candidates must have their names placed on the regional ballots:
    1. Candidates certified by the FEC to receive public financing for their primary campaigns
    2. Candidates who present a petition signed by at least one percent of the registered voters of the region--no more than twenty-five percent of those signatures coming from any one state
- Provides that a voter is eligible to vote only for a candidate for nominaton by the party of such voter's declared preference;
- Outlines the duties and procedures to be followed by the FEC including reporting requirements to the Congress and the President on steps it has taken to carry out such regional primary system;
- Declares that this Act will supersede and preempt state laws relating to the nomination of any Presidential candidate;

H.R. 7778 7/21/80 Rhodes Judiciary

CANDIDATES - SPOUSES' PERSONAL PROTECTION:

- Amends Public Law 90-331 to increase the period during which personal protection is provided to spouses of major Presidential and Vice Presidential nominees;

H.R. 7786 7/22/80 Rodino Judiciary

ACTION: 7/28/80 - Reported from Comm., H. Rept. 96-1196
7/28/80 - Passed House
8/1/80 - Passed Senate
8/11/80 - Public Law 96-329

CANDIDATES - SPOUSES' PERSONAL PROTECTION:

- Amends Public Law 90-331 to increase the period during which personal protection is provided to spouses of major Presidential and Vice Presidential nominees;

H.R. 7928 8/18/80 Biaggi House Administration

DAY FOR HOLDING PRIMARIES, CONVENTIONS, AND ELECTIONS:

- Amends 2 U.S.C. sec. 25 to provide that election of Representatives to the Congress in 1982, 1984, 1986 and 1988 will be held on the Sunday after the first Monday in November;
- Amends 3 U.S.C. sec. 1a to provide that appointment of electors of President and Vice President for 1984 and 1988 be made on the Sunday after the first Monday in November;
- Provides that the polling places in elections to determine the electors of President and Vice President in 1984 and 1988 be open from noon until 9:00 p.m. EST.
- Provides that the Federal Election Commission report any effects these amendments have upon the percentages or patterns of voter participation in federal elections;

H.R. 7934 8/18/80 Gephardt House Administration and Rules

INITIATIVE AND REFERENDUM - VOTER ADVISORY:

- Provides that an advisory referendum identifying no less than one and no more than three issues will be presented to the voters during each general election;

H.R. 7934 cont.

- Establishes a Joint Committee on the National Advisory Referendum to be appointed as follows:
  1. Seven Senate Members--selected in the same manner as Senate committee members; requires that each of the political parties represented in the Senate be reflected in the same proportion among members of the Joint Committee
  2. Seven House of Representative Members--selected in the same manner as House committee members; requires that each of the political parties represented in the House be reflected in the same proportion among members of the Joint Committee
  3. The Vice President, who will participate in a vote only to break a tie vote
- Provides that the Joint Committee will hold public hearings to prepare them to select issues to resolve current policy disputes or more fully develop relevant views in anticipation of such disputes;
- Requires that in each general election year the Joint Committee will report a concurrent resolution to each House of Congress stating what the issues will be in the next advisory referendum;
- Provides that the text of the issues in an approved concurrent resolution be certified by the Joint Committee to the following agencies:
  1. The appropriate state election agencies for inclusion on the ballots in the next general election
  2. To the Congressional Research Service of the Library of Congress (CRS)
- Provides that, if Congress has not acted on the Joint Committee concurrent resolution before 120 days before a general election, the President must, before the ninetieth day before an election, identify and certify to the state election agencies and to CRS appropriate issues for voter consideration;
- Provides that CRS will be responsible for the following services:
  1. Prepare a voters' guide to educate the public on each issue, including appropriate analyses, and a summary of the major arguments for and against each issue
  2. Keep a record available for public inspection of any person who makes a recommendation to CRS in the preparation of the voters' guide
  3. Make reasonable efforts to mail copies of the text of the issues to major newspapers of general circulation and major radio and TV stations and seek the cooperation of major news organizations to publish voluntarily such texts
- Outlines a reviewing technique to be followed by the Joint Committee not later than sixty days after each general election to determine whether there has been a failure to implement the will of the voters within the preceding four years;

H.R. 7966   8/20/80   Campbell   House Administration

PRESIDENTIAL AND VICE PRESIDENTIAL - VACANCIES:

- Provides that, when under the Constitution a President is to be selected by the House of Representatives and a person eligible to be selected dies or is

H.R. 7966 cont.

disqualified, that person will be replaced by the person receiving a majority of electoral votes for Vice President from electors who voted for such Presidential candidate who will be eligible for election to the Vice Presidency by the Senate;
- Provides that, when under the Constitution a Vice President is to be selected by the Senate and a person eligible to be selected dies or is disqualified, the candidate will be replaced by a person designated by the person receiving a majority of electoral votes for President from electors who voted for such disqualified person for Vice President;
- Provides that, when under the Constitution a President and a Vice President are to be selected by the House of Representatives and the Senate, respectively, and of the persons who are eligible to be selected both the Presidential and Vice Presidential candidates of one political party die or are disqualified, they will be replaced by persons specified by the national committee of such political party;
- Provides that a person is disqualified if, after voting in the electoral college is completed, such person either refuses to accept the office involved or is determined to be constitutionally ineligible for the office involved;

H.R. 8011	8/25/80	Hughes	House Administration

CAMPAIGN FINANCING - PUBLIC FINANCING:
- Identical to H.R. 1;

H.R. 8116	9/15/80	Studds	House Administration

"Regional Presidential Primaries Act of 1980"

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES - REGIONAL:
- Establishes four regions in which delegate elections to the national Presidential nominating conventions are held;
- Provides that Presidential delegate elections will be held in one of the four designated regions on the first Tuesday in March, April, May and June of each Presidential election year;
- Provides that the Commissioner of the Federal Election Commission will hold a lottery sixty days before the election date to select the region where the election will be held;

H.R. 8330	11/12/80	Williams	House Administration

POLLING PLACES - HOURS OF:
- Provides that all polling places, except Alaska and Hawaii, in all regular elections of Representatives of Congress, United States Senators and electors of the

H.R. 8330 cont.

President and Vice President of the United States must be open until and must close at 10:00 p.m. eastern standard time;

H.R. 8331 11/12/80 Williams House Administration

BALLOTS - SEAL:
- Provides that the ballots in federal elections will be sealed until all polling places are closed;

H.R. 8349 11/14/80 Lloyd House Administration

DAY FOR HOLDING PRIMARIES, CONVENTIONS, AND ELECTIONS - FEDERAL ELECTIONS:
- Changes the day of election for electors of the President and Vice-President and offices of the House of Representatives and the Senate from the Tuesday after the first Monday in November to the Saturday and Sunday after the first Monday in November;
- Provides that all polling places will open at 4:00 p.m. eastern standard time on Saturday, will close temporarily for the night between Saturday and Sunday for a period of ten hours, and close permanently at 6:00 p.m. eastern standard time on Sunday;
- Provides that persons otherwise eligible be allowed to pick up absentee voting ballots for a federal election after the state or local deadline has passed but at least seventy-two hours prior to the opening of the polls;
- Provides that to vote more than once or to register to vote in more than one location or to register more than once under two or more names in a federal election is a petty offense punishable by disenfranchisement in the next federal election, a fine not to exceed $25, or both;
- Establishes a five member federal agency called the "Board of Voter Registration" which is authorized to perform the following functions in federal elections:
    1) Prescribe the ten-hour period during the night between Saturday and Sunday when the polls will be closed - may be made on a state by state basis
    2) Monitor dates and times polling places are open
    3) Monitor availability of absentee ballots from state and local officials
    4) Acquire and computerize in a central place a national voter registration list - analyze data to detect fraudulent registration practices
    5) Report any violations of this Act to the U.S. Attorney General and local election officials
- Provides that the Board may hold hearings, administer oaths and require by subpena the attendance and testimony and the productin of such documents which they consider appropriate to carry out the provisions of this Act;
- Appropriates $1,000,000 to the Board for the fiscal year 1982;

H.R. 8356	11/17/80	Williams	House Administration

BALLOTS - SEAL:
- Provides that the ballots in Presidential elections will be sealed until all polling places are closed;

H.R. 8389	12/1/80	Aspin	House Administration

POLLING PLACES - HOURS OF:
- Amends the Voting Rights Act of 1965 by providing that all polling places, except in Alaska and Hawaii, in all elections for President and Vice President, United States Senators or Representatives of Congress must close at 11:00 p.m., eastern standard time on the day established for such election;

H.R. 8410	12/3/80	Danielson	House Administration

POLLING PLACES - HOURS OF:
- Provides that elections for electors of the President and Vice President of the United States will be conducted during the twenty-four hour period ending at 10:00 p.m. eastern standard time on the day selected for the election;
- Specifies that within that twenty-four hour period each polling place will be open during the six hours preceding 10:00 p.m. eastern standard time and for at least six additional hours;

H.J. Res. 37	1/15/79	Goldwater	Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;
- Petition must be signed by eight percent of whole number of state population in at least twenty-six states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of the House of Representatives;
- Vote of two-thirds of members of each house of Congress can repeal, amend or reenact laws enacted under this amendment without presidential approval;
- Requires majority of votes in three-fourths of states before proposed laws are effective;

H.J. Res. 40   1/15/79   Guyer   Judiciary

INITIATIVE AND REFERENDUM - VOTER INITIATIVE:

- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal laws passed by Congress through petition and ballot;
- Petition must be signed by eight percent of whole number of state population in three-fourths of the states;
- Requires majority of votes in three-fourths of states before new laws or repealed proposals are effective;
- Valid petition proposals will be placed on first election ballot for President;
- No law adopted by the people will be subject to Presidential approval, amendment or repeal;
- Congress can act on measures passed by a vote of three-fourths of members of each house of Congress;
- No bill passed by Congress under this article requires Presidential approval;

H.J. Res. 81   1/15/79   Smith   Judiciary

PRESIDENTIAL AND VICE PRESIDENTIAL - PRIMARIES:

- Presidential candidates will be chosen by direct popular vote at a primary election to be held in July;
- Candidates must be seeking the nomination of the party of their registered affiliation, and in addition satisfy certain petition requirements; further, the political party must meet certain qualifications;
- Candidate winning forty percent of the votes cast by voters of his own party shall win that party's nomination, but, if no candidate wins forty percent, a run-off will be held;
- After Presidential candidates are elected, each party will choose a Vice Presidential candidate;

H.J. Res. 113   1/18/79   Lagomarsino   Judiciary

REFERENDUM - VOTER INITIATIVE:

- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;
- No law or repeal adopted under this article is subject to approval by the President;
- Petitions to enact or repeal laws must be signed by three percent of electorate in at least ten states; the total number of signatures must total three percent of the nation's electorate;

H.J. Res. 113 cont.

- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on first election ballot held for members of House of Representatives;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years;

H.J. Res. 147 1/23/79 Sawyer Judiciary

REFERENDUM - VOTER INITIATIVE:
- Identical to H.J. Res. 113;

H.J. Res. 190 2/5/79 Hansen Judiciary

DISTRICT OF COLUMBIA - REPRESENTATION IN CONGRESS:
- Proposes amendment to Constitution providing that D.C. and territories of U.S. be treated as though they were states for purposes of representation in the House of Representatives;

H.J. Res. 196 2/8/79 Kemp et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows electorate directly to initiate or repeal through petition and ballot laws passed by Congress;
- Petitions to enact or repeal laws must be signed by three percent of electorate in at least fifteen states;
- Petition signatures must be collected within an eighteen month period;
- Valid petition proposals will be placed on election ballot held for members of the House of Representatives at least 120 days after petition signatures have been certified;
- Any law enacted, appealed or amended under this article cannot be acted on by Congress for two years except by an affirmative roll call vote of two-thirds of members of House and Senate;

H.J. Res. 286 4/2/79 Jones et al. Judiciary

REFERENDUM - VOTER INITIATIVE:
- Substantially the same as H.J. Res. 113 except that it does not specifically outline procedures for repealing laws;

H.J. Res. 557 5/28/80 Solomon Judiciary

REFERENDUM - VOTER INITIATIVE:
- Proposes an amendment that, except for certain rights retained by Congress, allows the electorate to initiate directly laws through petition and ballot;
- Petition signatures must be collected within an eighteen-month period;
- Petitions must be signed by three percent of the electorate who voted in the last general election in each of one-quarter of the states;
- Valid petition proposals will be placed on the ballot of the next general election for the House of Representatives which occurs at least 120 days after the petition has been certified;
- Provides that each state will have a number of electoral votes equal to the number of Senators and Representatives it is entitled to in the Congress; to be enacted, a proposed law must receive a majority of electoral votes (a proposed law must receive the same proportion of positive electoral votes as it received in the ballots cast)
- Repeal or amendment of such a law within two years following the effective date must receive an affirmative rollcall vote of two-thirds of the Members of each House;

H.J. Res. 579 6/26/80 Udall House Administration

"Presidential Nomination Commission Resolution"

PRESIDENTIAL AND VICE PRESIDENTIAL - NOMINATIONS:
- Establishes a twenty-member "Commission on Presidential Nominations" to be appointed as follows:
    1. Six members appointed by the president pro tem of the Senate (recommended by the majority and minority leaders with at least two of these members to be Members of the Senate and two to be state officials)
    2. Six members appointed by the speaker of the House of Representatives (at least two of these members to be Members of the House and two to be state officials)
    3. Six members appointed by the president pro tem of the Senate (recommended by the majority and minority leaders with at least two of these members to be Members of the Senate and two to be state officials)
    4. Chairman of the two national political parties to serve as ex officio members
- Provides that the Commission will investigate the following areas:
    1. Presidential primaries and caucuses for the selection of delegates to national political party conventions which are conducted by individual states
    2. State laws and rules of national political parties which govern the participation of voters and candidates in primaries and caucuses
    3. Campaign financing for the nomination of presidential candidates

H.J. Res. 579 cont.

4. The relationship between presidential candidates and the news media (how public recognition is achieved and the plausibility of guaranteed TV access)
5. Alternative nominating systems including a national or regional primary system
6. The manner in which vice presidential candidates are selected
7. The extent to which state laws and the Federal Election Campaign Act of 1971 promote or retard independent presidential candidates

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H.J. Res. 581 7/1/80 Leach Judiciary

APPORTIONMENT AND REDISTRICTING - CENSUS:
- Provides that the number of Representatives in Congress for each state will be apportioned by counting only those persons in each state who are citizens of the United States;

H.J. Res. 595 8/18/80 Lujan Judiciary

INITIATIVE AND REFERENDUM - CONSTITUTIONAL AMENDMENT RATIFICATION:
- Proposes that each state ratify amendments to the Constitution by popular referendum;

H.J. Res. 630 11/13/80 Mottl Judiciary

CANDIDATES - FEDERAL DISTRICT COURT JUDGES:
- Proposes an amendment to the Constitution of the United States which provides that each judge of a federal district court be elected by the qualified voters of the judicial district for a term of six years;
- Provides that no person may be a candidate for judge of more than one district court at one time;
- Prohibits a person who is a judge of a district court from being a candidate for any court except during the last year of the term such judge is serving;
- Provides that Congress will establish the qualifications necessary to be a judge of a district court, the manner of determining candidates for judges and the time, place and manner of holding elections;
- Provides that all judges elected under this article are subject to impeachment in accordance with the United States Constitution;
- Provides that vacancies occurring in any district court wil be filled by a special election;

H. Con. Res. 127 5/23/79 Heftel Judiciary

VOTING RIGHTS ACT - IMPROVE COMPLIANCE:
- Sense of Congress to improve performance of Department of Justice in aiding states to comply with Voting Rights Act provisions relating to "language minority" groups;

H. Con. Res. 283 2/22/80 Thompson House Administration

ACTION: 3/5/80 - Reported from Comm., H. Rept. 96-804
3/10/80 - Passed House
3/12/80 - Referred to Senate Rules and Administration Comm.
4/2/80 - Reported from Comm., S. Rept. 96-653
4/15/80 - Passed Senate

CANDIDATES - CAMPAIGN LAWS:
- Provides that an additional 20,000 copies of the "Federal Election Campaign Laws Relating to the United States House of Representatives" be printed as a House document and distributed to the Committee on House Administration and to candidates for the House of Representatives;

H. Con. Res. 412 8/22/80 Evans House Administration

ABSENTEE BALLOTS - HOSTAGES:
- Expresses the sense of Congress that state election officials forward absentee ballots to eligible to vote Americans being held hostage in Iran;

H. Res. 115 2/13/79 Pritchard Rules

CAMPAIGN FINANCING - SOLICITATION:
- Amends House rules to prohibit members from using official congressional stationary to raise funds if such funds are used to affect governmental elections;

H. Res. 594 3/4/80 Clinger Post Office and Civil Service, Judiciary

APPORTIONMENT - CENSUS:
- Provides that for the purpose of apportionment of Representatives in Congress illegal aliens should not be counted in the decennial census;

H. Res. 694 6/3/80 Pritchard House Administration

PRESIDENTIAL AND VICE PRESIDENTIAL - CANDIDATE:
- Resolves that, if the electors do not choose a President in December 1980, the House of Representatives should choose the person who received the greatest number of popular votes in the November 1980 election;

H. Res. 760 8/1/80 Bauman et al. House Administration

PRESIDENTIAL AND VICE PRESIDENTIAL - ELECTORAL COLLEGE ELECTION:
- Provides that, if the House of Representatives is required to choose the President because no candidate receives a majority of the votes cast by the electors of the electoral college, it is the sense of the House that each Member should cast his or her vote in favor of the candidate who receives a majority or plurality of the popular votes cast in the Member's district.

H. Res. 785 9/9/80 Burton Rules

PRESIDENTIAL AND VICE PRESIDENTIAL - ELECTORAL COLLEGE:
- Establishes a Select Committee on Procedures for Election of a President in the House of Representatives to conduct an investigation of the procedures, statutes, rules and precedents of the electoral college;
- Provides that the select committee will be composed of ten members of the House, who will be appointed by the Speaker. Provides that not more than six members of the committee can be members of the majority party;
- Prescribes the duties and authority of the committee so that it can accomplish its objectives;

FEDERAL LEGISLATION

SENATE AND HOUSE JOINT RESOLUTIONS INTRODUCED IN THE 96TH CONGRESS DEALING WITH THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT

PRESENT METHOD OF ELECTION - ELECTORAL COLLEGE PLAN

The Constitution provides that the President and Vice President of the United States shall be elected by electors who are appointed in each state in a manner directed by the Legislature of the state. Each state must appoint a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress (art. II, sec. 1). In all states and the District of Columbia, the Presidential electors are elected directly by the people of the state. These electors then convene in their own states as "colleges," known collectively as the "Electoral College" to elect the President and the Vice President. Thus, under present constitutional provisions, the President and the Vice President are not elected by means of a direct popular election, but instead are elected by the Electoral College.

Under the practice followed in all states but one, the people of the state vote for a slate of Presidential electors drawn up by the political parties in that state. The slate of electors winning the majority or plurality of the popular vote in the state would then cast all of the electoral votes of the state in favor of one Presidential candidate. Thus, the winner of the greatest number of popular votes in a state in a Presidential race would be credited with all of that State's electoral votes, rather than only that portion of the electoral votes which reflects the percentage of the popular vote won. The one exception to this general practice is Maine, where an elector is chosen from each Congressional district on the basis of winning the popular vote in that district and two at-large electors are chosen on a statewide basis (Maine Revised Code Annotated, Title 21, sec. 1184 (1-A). This is the district plan, discussed below).

Under the Constitution, Congress has the responsibility for setting the date on which Presidential electors are elected, which date must be uniform throughout the United States, and the date on which they will meet to cast their votes for the President and the Vice President. If, when the votes are cast for President and Vice President, no person receives a majority of the entire number of electoral votes, the House of Representatives shall choose the President from the three persons having the highest number of electoral votes (art. II, sec. 1).

PROPOSED METHODS OF ELECTION

Most measures considered by Congress have proposed a constitutional amendment which would affect a basic reform in the method by which the President and Vice President are elected. These proposals fall into four categories set forth below.

DIRECT ELECTION PLAN

Under the direct election plan, the Electoral College and the electoral vote system would be abolished. Instead, the President and Vice President would be elected by direct popular vote cast throughout the United States. Several proposals now pending in Congress would create a system whereby the President and the Vice President would be elected directly. These proposals are:

S.J. Res. 1	Bayh et al.	1/15/79
S.J. Res. 28	Bayh	1/25/79
H.J. Res. 7	Danielson	1/15/79
H.J. Res. 24	Bennett	1/15/79
H.J. Res. 57	Kastenmeier	1/15/79
H.J. Res. 93	Won Pat	1/15/79
H.J. Res. 150	Conte	1/24/79
H.J. Res. 181	Erdahl	2/1/79
H.J. Res. 189	Edwards	2/5/79
H.J. Res. 208	Fithian	2/15/79
H.J. Res. 240	McClory	3/6/79
H.J. Res. 252	Boner	3/13/79
H.J. Res. 254	Burlison	3/13/79
H.J. Res. 261	Burlison et al.	3/20/79
H.J. Res. 288	Burlison et al.	4/3/79
H.J. Res. 299	Burlison et al.	4/10/79
H.J. Res. 308	Burlison et al.	4/30/79
H.J. Res. 332	Burlison et al.	5/16/79
H.J. Res. 585	Leach	7/2/80
H.J. Res. 591	Studds	7/31/80

These proposals calling for direct election of the President and Vice President vary in their approaches to the following matters:

1. Method of casting vote:
   Cast joint vote for team consisting of candidate for President and candidate for Vice President, both consenting to the joinder of their names -
   All proposals

2. Percentage of vote required to win:
   a. Plurality -
      H.J. Res. 181

   b. 35% -
      H.J. Res. 93, 240

   c. 40% -
      S.J. Res. 1, 28
      H.J. Res. 7, 24, 57, 150, 189, 208, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 585, 591

3. Required percentage not attained:
   a. Runoff election must be held -
      S.J. Res. 1, 28
      H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 585, 591

   b. Congress decides in special election -
      H.J. Res. 24

4. Place, time, and manner of holding elections and entitlement to inclusion on ballot:
   a. Prescribed by the State Legislatures, but Congress may alter the state laws or the state laws become inapplicable if in conflict with an Act of Congress; however, Congress sets the day for holding elections, which day must be uniform throughout the United States, and Congress governs the method for ascertaining election results -
      S.J. Res. 1, 28
      H.J. Res. 7, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 585, 591

   b. Prescribed by Congress -
      H.J. Res. 24

5. Voter qualifications:
   a. Same as for most numerous branch of state legislature except that state may prescribe less restrictive qualifications and Congress may prescribe uniform residence qualifications -
      S.J. Res. 1, 28
      H.J. Res. 7, 57, 93, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 585, 591

   b. Same as in the case of voters in election of Senators, but state may prescribe less restrictive residence qualifications, and Congress may adopt uniform age and residence requirements -
      H.J. Res. 24

   c. Same as for electors of Members of Congress, but state may prescribe less restrictive residence qualifications and Congress may adopt uniform age and residence requirements -
      H.J. Res. 150

6. In case of death, resignation, inability or withdrawal of a candidate:
   a. Prescribed by Congress -
      S.J. Res. 1, 28
      H.J. Res. 7, 24, 57, 93, 150, 189, 208, 240, 252, 254, 261, 288, 299
      H.J. Res. 308, 332, 591

   b. Specifies that if neither candidate is able to serve, the House will choose a President and the Senate will choose a Vice President; if the House is unable to choose a President, a special election for President and Vice President will be held -
      H.J. Res. 585

PROPORTIONAL PLAN

Under the proportional plan, the electoral college would be abolished, but the electoral vote would be retained. The electoral vote in each state would be apportioned among Presidential candidates according to the number of popular votes received, thereby eliminating the present winner-take-all system.

S.J. Res. 51	Cannon et al.	3/22/79
H.J. Res. 88	Vander Jagt	1/15/79
H.J. Res. 125	Ashbrook	1/22/79

1. Percentage of vote required to win:
   a. Majority -
      H.J. Res. 88, 125

   b. 40% -
      S.J. Res. 51

2. Required percentage not attained:
   House of Representatives chooses -
   H.J. Res. 88 (Senate chooses Vice President), 125
   Senate and House in joint session chooses -
   S.J. Res. 51

3. Voter qualifications:
   Same qualifications requisite for the electors of the most numerous branch of the state legislature -
   S.J. Res. 51
   H.J. Res. 125

4. Place, time, manner of holding election in states:
   Congress will determine the day of the election, which must be uniform throughout the United States, but state legislatures determine the place and manner -
   H.J. Res. 88 (Congress determines time for electing only), 125
   S.J. Res. 51

DISTRICT PLAN

Under the district plan, the electoral college would be preserved, with each state choosing a number of electors equal to the number of Senators and Representatives to which the state is entitled in Congress. However, in all states, the electors would be chosen by the voters from districts created within the state, and, in addition, two at-large electors would be chosen on a statewide basis. The winner-take-all aspects of the present system would thus be eliminated because a candidate would be credited with only those district electoral votes that he actually won. Further, in contrast to the present method, the candidates for the office of Presidential elector would be required to declare for whom they will cast their votes for President and Vice President and such declaration will be binding.

H.J. Res. 106 (Fuqua, 1/18/79)
H.J. Res. 207 (Conable, 2/19/79)
H.J. Res. 549 (Derwinski, 5/14/80)

1. Percentage of electoral vote required to win: Majority
   Majority -
   H.J. Res. 106
   H.J. Res. 207
   H.J. Res. 549

2. Tie vote in electoral college: Person with the greatest number of electoral district votes, rather than at-large electoral votes should win.
   H.J. Res. 207
   H.J. Res. 549

3. Required percentage not attained: Senate and House of Representatives choose President and Vice President from persons with three highest number of votes.
   H.J. Res. 207
   H.J. Res. 549

4. Required majority not attained: Senate and House of Representatives choose President and Vice President from the pairs of candidates not exceeding three having the highest number of electoral votes.
   H.J. Res. 106

5. Voter qualifications: Same qualifications requisite for the electors of the most numerous branch of the state legislature.
   H.J. Res. 106
   H.J. Res. 207
   H.J. Res. 549

6. Manner of holding elections in states:
   a. Congress will determine -
      H.J. Res. 207
      H.J. Res. 549

   b. States will determine subject to alterations by Congress -
      H.J. Res. 106

AUTOMATIC ELECTORAL VOTE PLAN

Under this plan, the Electoral College would be abolished but the electoral votes of each state would be retained. According to this method, the electoral vote of each state would automatically be awarded to the candidate receiving the greatest number of popular votes for President in that state. Thus, as in the present system, the winner of the greatest portion of the popular vote would be credited with all of the electoral votes of the state. The proposal also provides for an automatic electoral vote plan but with an additional national pool of electoral votes equivalent to the number of senators plus an additional two for the District of Columbia, to be automatically allocated to the candidate receiving the most popular votes across the nation. S.J. Res. 48 (Bayh, 3/14/79), H.J. Res. 223 (Bingham, 2/26/79).

FEDERAL LEGISLATION

TERMS OF OFFICE FOR PRESIDENT, VICE PRESIDENT, SENATE AND HOUSE

Several Senate and House Joint Resolutions have been introduced in the 96th Congress which deal with the terms of office and number of terms allowed for the President, Vice President, Senate and House. Present terms for the President and Vice President are four years; Senate--six years (one-third of Senators elected every two years); and House--two years. The new proposals are:

S.J. Res. 25	Danforth et al.	1/24/79
S.J. Res. 27	De Concini et al.	1/24/79
S.J. Res. 34	Johnston	2/6/79
S.J. Res. 103	Thurmond	9/10/79
H.J. Res. 50	Hillis	1/15/79
H.J. Res. 158	Ichord	1/24/79
H.J. Res. 160	Quayle	1/24/79
H.J. Res. 168	Frenzel	1/29/79
H.J. Res. 169	Frenzel	1/29/79
H.J. Res. 170	Glickman et al.	1/29/79
H.J. Res. 179	Shumway et al.	1/31/79
H.J. Res. 182	Erdahl	2/1/79
H.J. Res. 186	Schulze	2/1/79
H.J. Res. 272	Emery	3/21/79
H.J. Res. 315	Jacobs	5/1/79
H.J. Res. 334	Clinger	5/16/79
H.J. Res. 368	Paul	6/27/79
H.J. Res. 377	Quayle	7/11/79
H.J. Res. 401	Duncan	9/14/79
H.J. Res. 419	Collins	10/12/79
H.J. Res. 538	Collins	4/29/80
H.J. Res. 582	Studds	7/11/80
H.J. Res. 603	Studds	8/27/80
H.J. Res. 631	Conyers	11/18/80

Since one bill may relate to several of the following categories, it may be listed more than once.

PRESIDENT AND VICE PRESIDENT

6 Year Term

1 Term Limit

S.J. Res. 103
H.J. Res. 158
H.J. Res. 168
H.J. Res. 182
H.J. Res. 186
H.J. Res. 401
H.J. Res. 419
H.J. Res. 538
H.J. Res. 582
H.J. Res. 631

2 Term Limit

H.J. Res. 50

9 Year Total Service Limit

H.J. Res. 160
H.J. Res. 377

SENATE

Term Limit

1 - H.J. Res. 419
H.J. Res. 538

2 - S.J. Res. 25
S.J. Res. 27
H.J. Res. 182
H.J. Res. 334
H.J. Res. 368 (4 Yr. Term)

3 - H.J. Res. 169
H.J. Res. 186

* - H.J. Res. 50
* - H.J. Res. 160
* - H.J. Res. 315
* - H.J. Res. 603

HOUSE OF REPRESENTATIVES

2 Year Term

Term Limit

6 - S.J. Res. 25
7 - S.J. Res. 27
9 - H.J. Res. 169

3 Year Term

Term Limit

* - H.J. Res. 50
5 - H.J. Res. 186

4 Year Term

Term Limit

3 - H.J. Res. 170
H.J. Res. 179
H.J. Res. 182
* - H.J. Res. 334

Term Limit Not Specified

S.J. Res. 34
H.J. Res. 272

6 Year Term

Term Limit

1 - H.J. Res. 419

* H.J. Res. 50 - Allows twelve years aggregated service time in Senate or House or eighteen years combined Senate and House service

* H.J. Res. 160 - Allows fifteen years consecutive service time in the Senate and thirteen years aggregated service time in the House

* H.J. Res. 315 - Not more than twelve years Senate service within any fourteen-year period; not more than ten years House service within any twelve-year period

* H.J. Res. 334 - Allows not more than ten years aggregated service time in House

* H.J. Res. 603 - Allows not more than eighteen years combined Senate and House service

APPENDIX: 1979 SESSION LAWS

CALIFORNIA

SB 1138, Approved 9/26/79

Allows the placement of temporary political signs in areas which are protected from advertising displays under the outdoor advertising act, unless a federal agency determines that the placement of such signs would violate federal regulations.

Specifies that no political signs may be placed within 660 feet of and visible from the right-of-way of a landscaped freeway or within the right-of-way of a highway.

COLORADO

SB 158, Approved 5/30/79

Specifies that if there are not more candidates, including candidates filing affidavits of intent, for director of special districts than offices to be filled at the election, such fact shall be certified to the board. After holding a meeting, the board may cancel the election and declare the candidates elected by resolution. Notice of the cancellation shall be published, if possible, and posted at each polling place and at least one other public place.

HB 1033, Approved 4/25/79

Requires that a plan be developed and submitted to the general assembly by the judicial department no later than January 1, 1980, that will deal with criminal court decisions and other relevant material in order to inform the electorate on the performance of a judge.

ILLINOIS

SB 563, Act 81-1149, Approved 11/26/79

States that the polls shall be open from 6:00 a.m. to 7:00 p.m. (formerly 6:00 p.m.).

HB 1914, Act 81-1117, Certified 11/21/79

Requires reports of campaign contributions to be filed no later than fifteen days before a primary, as for other elections. However, no report need be filed ninety days after a primary, although such a post-election report is required for other elections.

Authorizes an elector to vote by absentee ballot if he is unable to be at the polls on election day because of election duties for the office of an election authority, the state board of elections, or a law enforcement agency.

Permits an election authority to adopt a standard application blank for an absent voter's ballot in lieu of separate applications prescribed for absence due to various reasons (e.g., observance of religious holiday, physical incapacity). Specifies the format for the standard application blank. Also specifies the printed certification to be used on the absentee ballot envelope if the election authority adopts the standard absentee ballot application blank.

HB 2228, Act 81-1189, Certified 11/29/79

Directs the state board of elections and each county clerk to provide to each candidate at the time he files his nomination papers a notice of obligations under art. 9 of the Illinois Election Code (relating to disclosure of campaign contributions and expenditures), a manual of instructions, and a supply of forms for the statements to be filed. Specifies that if a candidate files his nomination papers by mail or if an agent of the candidate files the nomination papers for the candidate, the board or county clerk is to send to the candidate the required materials within two business days. Additionally, at least thirty days before each filing date for reports of campaign contributions and for annual re- of contributions and expenditures, the board or the county clerk is to send to each political committee that has filed a statement of organization a notice of obligations under art. 9 and appropriate forms.

HB 2540, Act 81-1195, Certified 11/29/79

Deletes the requirement that the cards of instruction furnished to judges of election by the election authorities include copies of certain provisions of the Illinois Election Code.

HB 2799, Act 81-1211, Approved 12/5/79

Changes the name of the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act to the Nursing Home Care Reform Act of 1979.

Provides that when physically incapacitated electors in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 make voting application to the election authority not later than five days before the election, their ballots will be delivered by a judge of election on the day prior to the election. The election authority is required to notify the applicants, by mail, of this service. Methods for selecting judges of election are outlined.

ILLINOIS CONT'D

Provides that voting in facilities licensed pursuant to the Nursing Home Care Reform Act of 1979 will be conducted during any continuous period sufficient to allow all applicants to cast their ballots, and at a time convenient to the election authority and the chief administrative officer of each facility. Public announcement of these arrangements must be made for the benefit of prospective poll watchers.

Requires that the department of public health must certify to the state board of elections within a certain specified time, a list of facilities licensed pursuant to the Illinois Nursing Homes, Sheltered Care Homes and Homes for the Aged Act or the Nursing Home Care Reform Act of 1979. These lists must indicate the approved bed capacity and the name of the chief administrative officer of the facility. The state board of elections must certify the same information to the appropriate election authority within twenty days.

HB 2813, Act 81-1215, Approved 12/5/79

Allows political committees to request copies of registration information recorded on electronic data processing equipment, at a reasonable cost, from the board of election commissioners.

Specifies that such information is to be used only for bona fide political purposes, and forbids its use for commercial solicitation or business purposes.

Requires a candidate for delegate or alternate delegate to a national nominating convention to file a statement delaring his presidential preference or uncommitted status with the state board of elections at the time of filing his statement of candidacy, and requires that such preference or uncommitted status appear next to his name on the primary ballot.

KANSAS

SB 384, Approved 4/12/79

Allows the county election officer to mark the outside of a ballot for voting on a question or constitutional amendment with an identifying number, in order to distinguish it from other ballots on questions or constitutional amendments when more than one is submitted to the voters.

Changes the ballot instructions to electors voting in primary and general school elections and primary and general city elections. Requires that when voters are allowed to vote for the same number of candidates as the number of positions to be filled, they be informed that they may vote for fewer candidates if they so wish.

1979 SESSION LAW CONT'D

MASSACHUSETTS

HB 6754, Approved 10/16/79

Authorizes a city or town clerk to designate either a central tabulation center for the counting of paper ballots and punched cards, or to declare all polling places as tabulation centers (formerly, the clerk was required to choose one central tabulating center) and designates the clerk as the presiding officer at a central taublating center.

Allows the appointment of as many tabulating center inspectors as deemed necessary by the city or town clerk (formerly, no fewer than six were required to be appointed).

MICHIGAN

HB 4662, Act 151, Approved 11/27/79

Deletes the requirement that physically disabled voters attest by oath to their inability to vote unassisted.

Requires two election inspectors to assist a voter if he states that he cannot mark the ballot. Allows a blind voter to designate a family member or another person over eighteen years of age to assist him in marking his ballot.

NEBRASKA

LB 329, Approved 5/23/79

States that members of the city council must represent all areas and all socioeconomic segments of the population of cities of the metropolitan class.

Provides that terms of office for council members shall be four (formerly three) years.

Specifies that the election commissioner shall divide a city of the metropolitan class into seven districts of contiguous territory. The districts shall be numbered consecutively from one to seven and one council member shall be elected from each district.

States that at the general city election held in 1981 the council members elected from even-numbered districts shall be elected for two-year terms and the members of the odd-numbered districts shall be elected for four-year terms. However, each of their successors shall be elected for four-year terms.

Requires that a candidate for council member be a qualified voter and a resident in the city or district or any area to be annexed by the city for one year.

NEBRASKA CONT'D

Changes the form for the statement of candidacy.

States that the primary election ballot shall include the number of the city council district, the name of the city as well as the number of city council members to be elected.

Specifies that the two candidates receiving the highest number of votes in each city council district at the primary shall be the only candidates whose names are placed on the official ballot for council members in each council district at the regular or general city election.

Stipulates that vacancies in the council shall be filled from the district in which the vacancy occurred. Salaries of the mayor and members of council shall be determined by local law.

OHIO

HB 141, Approved 12/14/79

Limits to two the number of judges and clerks that a board of elections may allow to officiate at certain special and municipal primary elections, providing that such officials be equally divided between the two major political parties at primary elections.

Allows the board of elections to appoint precinct officials, designated as receiving and counting officers, at each general or primary election. The board may determine the number of officials to be appointed, provided that the maximum number does not exceed four judges and two clerks, and that the maximum number be appointed only if necessary.

Permits the board to assign work shifts, and states that a receiving officer may perform the duties of either receiving or counting official, or both, if assigned to work a second shift.

PENNSYLVANIA

HB 1261, Act 124, Approved 12/13/79

Waives the late filing fees for certain reports of contributions and expenditures not filed within the prescribed periods in connection with various primary, special and municipal elections held during 1979.

TENNESSEE

SB 522, Chapter 274, Approved 5/9/79

Requires that the county election commission appoint certain election officials not more than thirty days (formerly twenty days) before each election.

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